EXHIBIT B31

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Judith Zelikoff, Ph.D.

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        IN THE UNITED STATES DISTRICT COURT
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      FOR THE EASTERN DISTRICT OF NEW JERSEY
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 4
      IN RE: JOHNSON &
      JOHNSON TALCUM POWDER
 5
      PRODUCTS MARKETING,
      SALES PRACTICES, AND
                                 NO. 16-2738
 6
      PRODUCTS LIABILITY
                              :
                                (FLW) (LHG)
 7
      LITIGATION
 8
      THIS DOCUMENT RELATES
      TO ALL CASES
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10
                 January 21, 2019
11
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                  Videotaped deposition of
     JUDITH ZELIKOFF Ph.D., taken pursuant to
     notice, was held at the Sheraton Mahwah
14
     Hotel, 1 International Boulevard, Mahwah,
15
     New Jersey, beginning at 9:11 a.m., on
     the above date, before Michelle L. Gray,
     a Registered Professional Reporter,
16
     Certified Shorthand Reporter, Certified
17
     Realtime Reporter, and Notary Public.
18
19
20
            GOLKOW LITIGATION SERVICES
           877.370.3377 ph 917.591.5672
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                  deps@golkow.com
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APPEARANCES:	1 APPEARANCES: (Cont'd.)	· ·
BEASLEY ALLEN, P.C. BY: P. LEIGH OTDELL, ESQ. BY: JENNIFER K. EMMEL, ESQ. 234 Commerce Street Montgomery, Alabama 36103 (334) 269-2343 leigh.odell@beasleyallen.com Jennifer.emmel@beasleyallen.com - and - LEVIN PAPANTONIO THOMAS MITCHELL RAFFERTY & PROCTOR, PA BY: CHRISTOPHER V. TISI, ESQ. 316 South Baylen Street, Suite 600 Pensacola, Florida 32502 (888) 435-7001 Ctisi@levinlaw.com - and - GOLOMB & HONIK P.C. BY: RICHARD M. GOLOMB, ESQ. 1835 Market Street, Suite 2900 Philadelphia, PA 19103 (215) 985.9177 Rgolomb@golombhonik.com - and NAPOLI SHKOLNIK, P.L.C BY: ALASTAIR J.M. FINDEIS, ESQ. 400 Broadhollow Road, Suite 305 Melville, New York 11747 (631) 224-1133 afindeis@napolilaw.com Representing the Plaintiffs' Steering Committee	3 SEYFARTH SHAW, LLP BY: THOMAS T. LOCKE, ESQ. 4 975 F Street, NW Washington, D.C. 20004 5 (202) 463-2400 tlocke@seyfarth.com 6 Representing the Defendant, PCPC 7 TUCKER ELLIS, LLP 8 BY: JAMES W. MIZGALA, ESQ. 233 South Wacker Drive, Suite 6950 9 Chicago, Illinois 60606 (312) 624-6307 10 james.mizgala@tuckerellis.com Representing the Defendant, PTI 11 Royston LLC and PTI Union LLC 12 13 14 ALSO PRESENT: 15 VIDEOTAPE TECHNICIAN: 16 Henry Marte 17 18 19 20 21 22 23 24	
APPEARANCES: (Cont'd.) SHOOK, HARDY & BACON, LLP BY: MARK C. HEGARTY, ESQ. 2555 Grand Boulevard Kansas City, MO 64108 (816) 474-6550 Mhegarty@shb.com - and - SKADDEN ARPS, LLP BY: BENJAMIN S. HALPERIN, ESQ. 4 Times Square New York, New York 10036 (212) 735-2453 Benjamin.halperin@skadden.com Representing the Defendant, Johnson & Johnson entities GORDON & REES, LLP BY: KENNETH J. FERGUSON, ESQ. 316 Congress Avenue, Suite 1510 Austin, Texas 78701 4 (512) 391.0183 kferguson@gordonrees.com COUGHLIN DUFFY, LLP BY: MARK K. SILVER, ESQ. 350 Mount Kemble Avenue Morristown, New Jersey 07962 (973) 267-0058 msilver@coughlinduffy.com	Page 3 1	Page

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THE VIDEOGRAPHER: We are on the record. My name is Henry the record. My name is Henry is Marte. I am a videographer with is Marte. I am a videographer wit			$ ^2$	4	
THE VIDEOGRAPHER: We are on the record. My name is Henry the record. My name is Henry is Marte. I am a videographer with is Marte. I am a videographer wit		Page	11		Page 13
the record. My name is Henry the record. My name is Henry the record. My name is Henry Marte. I am a videographer with Golkow Litigation Services. Today is January 21st, 2019, and the time is 9:11 a.m. This video deposition is being held in Mahwah, New Jersey, in the matter of Talcum Powder Litigation. Cells (Shukla) Litigation. Cells (Shukla) Litigation. The deponent today is Dr. Judith Zelikoff. All appearances will be noted on the stenographic record. Will the court reporter please administer the oath to the witness. Zelikoff.51 Does Long-Term 567 Tale Exposure Have a Carcinogenic Effect (Keskin) Litigation. Litigation. All appearances will be noted on the stenographic record. Will the court reporter please administer the oath to the witness. Zelikoff.51 Does Long-Term 567 Tale Exposure Have a Carcinogenic Effect (Keskin) Litigation. Litigation. Litigation. The deponent today is Dr. Judith Zelikoff. All appearances will be noted on the stenographic record. Will the court reporter please administer the oath to the witness. Zelikoff.51 Does Long-Term 567 Tale Exposure Have a Carcinogenic Effect (Keskin) Litigation. Litigation. The deponent today is Dr. Judith Zelikoff. All appearances will be noted on the stenographic record. Will the court reporter please administer the oath to the witness. Zelikoff.51 Does Long-Term 567 Tale Exposure Have a Carcinogenic Effect (Keskin) Litigation. Litigation. The deponent today is Dr. Judith Zelikoff. All appearances will be noted on the stenographic record. Will the court reporter please administer the oath to the witness. Zelikoff.51 Does Long-Term 567 Tale Exposure Have a Carcinogenic Effect 20 having been first duly sworn, was examined and testified as follows: 21 examined and testified as follows:	1			1 THE VIDEOCD ADDIED. We are on	Ü
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Talc Exposure Have a Carcinogenic 19 JUDITH ZELIKOFF, Ph.D., 20 having been first duly sworn, was (Keskin) 21 examined and testified as follows: 22 23 EXAMINATION	17	Zelikoff-51 Does Long-Term 567			
19 Effect 20 having been first duly sworn, was 21 examined and testified as follows: 22 23 EXAMINATION	18	Talc Exposure			
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1		Page 14			Page 16
1	BY MR. HEGARTY:	Č	1	plaintiffs' counsel for your services in	<u> </u>
2	Q. Good morning, Dr. Zelikoff.		2	this litigation?	
3	A. Good morning.		3	A. \$350 per hour.	
4	Q. My name is Mark Hegarty. I		4	Q. Is there any difference in	
5	represent the J&J defendants in this		5	your rate depending on whether it's	
6	action. Can you please state your full		6	literature review, sitting for a	
7	name for the record, please?		7	deposition, trial testimony?	
8	A. Judith Terri Zelikoff.		8	A. Sitting for a deposition or	
9	Q. Dr. Zelikoff, who is your		9	trial testimony is \$450.	
10	current employer?		10	Q. Did anyone outside of	
11	A. New York University School		11	plaintiffs' attorneys assist you in any	
12	of Medicine, also known as NYU Langone		12	way with your expert report in this case?	
13	Health.		13	A. No one with my expert	
14	Q. What is your title at New		14	report.	
15	York University School of Medicine?		15	Q. We were provided today a	
16	A. Professor with tenure.		16	copy of several invoices that you have	
17	Q. How long have you held that		17	prepared for your work in this case. I'm	
18	position?		18	going to mark as Exhibit Number 1 a copy	
19	A. Since 1982.		19	of those invoices.	
20	Q. Do you have any separate		20	(Document marked for	
21	personal consulting business for		21	identification as Exhibit	
22	litigation purposes?		22	Zelikoff-1.)	
23	A. Î do not.		23	BY MR. HEGARTY:	
24	Q. Where do the fees go that		24	Q. Dr. Zelikoff, would you look	
		Page 15			Page 17
1	you earn as an expert witness in this		1	at Exhibit Number 1 and tell me whether	
2	case?		2	those are all the invoices that you have	
3	A. They go to household		3	generated and provided to plaintiffs'	
1)		
4	expenses as well as charity.		4	counsel in this case.	
5	expenses as well as charity. Q. But they go to you, correct?				
	- ·		4	counsel in this case.	
5	Q. But they go to you, correct?A. They go to me.		4 5	counsel in this case. A. It appears to be.	
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5 6 7 8	Q. But they go to you, correct?A. They go to me.Q. Other than your work at NewYork University and the fees that you're		4 5 6 7 8	counsel in this case. A. It appears to be. Q. Thank you. The last work noted is December 24, 2018. Have you spent any	
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. But they go to you, correct? A. They go to me. Q. Other than your work at New York University and the fees that you're earning as part of this litigation, do you have any other sources of income? A. Just income that I have from advisory boards or when you when you sit on panels, they also pay you. But other than that, no. Q. Tell me an example of an advisory board for which you receive income. A. It's on a very sporadic basis. And it depends on what it is. But the NIEHS, National Institute of		4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	counsel in this case. A. It appears to be. Q. Thank you. The last work noted is December 24, 2018. Have you spent any additional time on this case for which you intend to bill plaintiffs' counsel A. Yes, I have. Q that's not reflected in the invoices? A. Yes, I have. Q. How much additional time? A. Approximately 25 to 30 hours by the end of this deposition. Not including the deposition. Q. With regard to these invoices, have they all been paid?	
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1	Page	18		Page 20
1	Q. Dr. Zelikoff, as you know	1	representing plaintiffs?	
2	we're here to take your deposition in the	2		
3	case of In Re Johnson & Johnson Talc	3	· · · · · · · · · · · · · · · · · · ·	
4	Litigation, which is an MDL setting. Are	4		
5	you aware you've been designated as an	5		
6	expert in that case?	6		
7	A. I am aware.	7		
8	Q. When were you first	8		
9	contacted about serving as an expert in	9	• •	
10	this case?	10		
11	A. Early 2017. I was	11		
12	requested I was requested if I had	12		
13	interest in it.	13		
14	Q. The first invoice that you	14	1	
15	provided has a date of April 5, 2017.	15		
16	When in relation to the first invoice	16	1 3 5	
17	entry was that initial contact?	17		
18	•	18	C	
19	A. To the best of my knowledge,	19		
20	it was January or February. Q. Of 2017?	20	3	
20		20		
	A. Of 2017, right.		•	
22	Q. Who contacted you?	22	C	
23	A. Jennifer Emmel.	23	3	
24	Q. Did you know her before she	24	instruct I mean conversations,	
	Page	19		Page 21
1	contacted you?	1	in terms of let me just strike	
2	A. Not at all.	2	that and say don't discuss	
3	Q. How was the contact made, by	3	anything that you communicated to	
4	telephone?	4		
5	A. By telephone.		us or we communicated to you after	
	11. By telephone.	5	•	
6	Q. Apart from anything that	5 6	you decided to become an expert in	
6 7	• •		you decided to become an expert in the case.	
	Q. Apart from anything that	6	you decided to become an expert in the case. BY MR. HEGARTY:	
7	Q. Apart from anything that attorneys for plaintiffs may have told	6 7	you decided to become an expert in the case. BY MR. HEGARTY: Q. Correct. I'm talking about,	
7 8	Q. Apart from anything that attorneys for plaintiffs may have told you, do you know how she came to contact	6 7 8	you decided to become an expert in the case. BY MR. HEGARTY: Q. Correct. I'm talking about, right now I'm talking about that initial	
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	Page	22			Page 24
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	about it, and did I have did I have interest in being associated with, and I responded to her that I follow the science, that's all I do is I follow the science. And if the science leads me in a direction that I would have interest or that I felt comfortable in doing this, then I would let her know. Q. What was your response when she asked you if you were familiar with the science of talc and ovarian cancer? A. I was familiar with it at that time in a superficial manner. I work in a very high-powered department of environmental medicine. And we discuss current events over lunch.		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	the time that you agreed to serve as an expert witness in the case? A. No, not not to my recollection. Q. Do you recall anything else that you discussed with Ms. Emmel at that first call besides what we talked about already? A. No, sir. Q. Did Ms. Emmel at that first call tell you anything about plaintiffs' theory of causation or theory of mechanism of action or biologic plausibility? A. No, sir, not at all. Q. Did she send you any documents before you agreed to serve as an expert witness?	Page 24
18	Q. When you say in a		18	an expert witness?	
19 20	superficial manner, what do you mean? A. Certainly not to the depth		19 20	A. Not to my knowledge. I think the I'm sure the literature	
21	that I'm aware of the issue currently.		21	reviews that I did at that time were	
22	Q. Is it correct that you had		22	solely my own.	
23	not formed any opinions as to any link		23	Q. Had you heard of lawsuits	
24	between talc and ovarian cancer as of the		24	involving talc and ovarian cancer before	
	Page	23			Page 25
1	time of that first call with Ms. Emmel?		1	being contacted by Ms. Emmel?	
2	A. I had I had no opinion at		2	A. I actually had not.	
3 4	that time. Q. Did you have any discussions		4	Q. What then were your sources of knowledge about tale and ovarian	
5	with Ms. Emmel or any other lawyer		5	cancer as of the time of the first call?	
6	representing plaintiffs between that		6	A. The media, whatever I might	
7	initial phone call and when you agreed to		7	have read in the paper and any	
8	serve as an expert witness?		8	discussions that might have been brought	
9	A. To my to the best of my		9	up by my colleagues.	
10 11	knowledge, I had not spoken to Ms. O'Dell. So to the best of my		10 11	Q. Do you recall any colleague who brought the anything up about talc	
12	knowledge it was just Ms. Emmel.		12	and ovarian cancer?	
13	Q. Again, focusing on that		13	A. I do not recall a specific	
14	first phone call well, strike that.		14	colleague. Lunchroom chatter.	
15	Had you had any further		15	Q. Did you form any opinions	
16	discussion with Ms. Emmel between the		16	from the material you did read in the	
17 18	time of that first call and the time you		17 18	media or from discussion with your	
18	agreed to serve as an expert witness? A. I'm sorry, between the time		19	colleagues? A. I had no opinion.	
20	of the first call and the time I agreed,		20	Q. And you were ultimately	
21	could you repeat the question please?		21	retained and asked to give expert	
22	Q. Sure. Did you have any		22	opinions in this case, correct?	
23 24	additional discussions with Ms. Emmel		23	A. I was ultimately retained,	
	between the time of the first call and		24	yes, correct.	

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	Page 26			Page 28
1		1	tactify today?	
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	Q. The lawyers for the plaintiffs in this case have paid you to	$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	testify today? A. It would be in my invoice,	
3	review materials and offer opinions,	3	but if I had to approximate that without	
4	correct?	4	the knowledge of having that in front of	
5	MS. O'DELL: Objection to	5	me, I would say 30 to 50 hours.	
6	the form.	6	Q. What attorneys did you meet	
7	THE WITNESS: Do I answer	7	with to prepare for your deposition here	
8	the question?	8	today?	
9	BY MR. HEGARTY:	9	A. I met with Ms. O'Dell and	
10	Q. Yes.	10	Ms. Emmel.	
11	MS. O'DELL: Yes.	11	Q. Anyone else?	
12	THE WITNESS: They have	12	A. In a face-to-face.	
13	remunerated me for my time and	13	Q. Face-to-face. There were	
14	effort in reading hundreds of	14	phone calls as well?	
15	articles.	15	A. There were one of one	
16	BY MR. HEGARTY:	16	of the phone calls, it may have been two.	
17	Q. The opinions that you've	17	I also Chris, and I'm not familiar	
18	formulated were ultimately set out in	18	with your last name, sorry.	
19	your November 16, 2018, MDL report,	19	Chris from the	
20	correct?	20	MS. O'DELL: Tisi.	
21	A. That's correct.	21	THE WITNESS: Tisi? Chris	
22	Q. The hours you spent in	22	Tisi and Alistair	
23	preparing that report are reflected in	23	MR. FINDEIS: Findeis.	
24	the invoices we marked as Exhibit	24	MS. O'DELL: Findeis.	
	the invoices we marked as Emiler		Wist obbie	
	Page 27			Page 29
1	Page 27 Number 1, correct?	1	THE WITNESS: Findeis was	Page 29
2		1 2	THE WITNESS: Findeis was on the phone, and there may have	Page 29
	Number 1, correct?		on the phone, and there may have been one or two others, but I	Page 29
2 3 4	Number 1, correct? A. I don't recall what exhibit number it is, but it is in one of the invoices.	2	on the phone, and there may have been one or two others, but I don't recall.	Page 29
2 3	Number 1, correct? A. I don't recall what exhibit number it is, but it is in one of the invoices. Q. A description that you have	2 3	on the phone, and there may have been one or two others, but I don't recall. BY MR. HEGARTY:	Page 29
2 3 4 5 6	Number 1, correct? A. I don't recall what exhibit number it is, but it is in one of the invoices. Q. A description that you have in your invoices includes report	2 3 4	on the phone, and there may have been one or two others, but I don't recall. BY MR. HEGARTY: Q. Have you spoken with any of	Page 29
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	Page 3)		Page 32
1	this case?	1	A. Yes.	
2	A. I have not.	2	Q. Does that continue to be the	
2 3	Q. Have you told anyone at NYU	3	extent of any discussion you had with any	
4	School of Medicine of your opinions?	4	students at New York University about	
5	A. I have not. I have	5	tale and ovarian cancer?	
6	discussed, not my opinion, but in my	6	A. Well, right now we're on	
7	class, my toxicology course, to graduate	7	break. I I probably will I will	
8	students at NYU.	8	continue after the deposition to also	
9	I have, in my course on	9	talk talk with them and list it as	
10	speaking about reproductive toxicology	10	a as a risk factor for ovarian cancer.	
11	and developmental toxicology, in	11	Q. What about strike that.	
12	discussing risk factors, two graduate	12	Did you have discussions,	
13	students I have discussed I've	13	that same discussion with toxicology	
14	included tale as a potential risk factor.	14	students between I should say before	
15	Q. When did you start including	15	you were contacted by Ms. Emmel and	
16	talc as a potential risk factor in that	16	today, have you had continued to have	
17	course?	17	that same discussion with your toxicology	
18	A. Prior if you're asking me	18	students?	
19	was it prior to or prior to my	19	A. I've not	
20	retainment, it was prior to my	20	MS. O'DELL: Objection to	
21	retainment.	21	form.	
22	Q. So prior to your	22	Doctor, give me just a	
23	retainment let me let me word it	23	moment after the question if I	
24	differently.	24	need to object. Thank you.	
			·	
	Page 3	1		Page 33
1		1 1	THE WITNESS: Shall I	Page 33
1 2	Prior to the call from	1	THE WITNESS: Shall I continue?	Page 33
2	Prior to the call from Ms. Emmel, you had included in your	1 2 3	continue?	Page 33
2 3	Prior to the call from Ms. Emmel, you had included in your course to your toxicology course a	1 2 3	continue? BY MR. HEGARTY:	Page 33
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	Pa	ge 34			Page 36
1	not taught that same course?		1	Exhibit B. It should be the very last	
2	A. It's taught every other		2	page of that document.	
3	year.		3	A. Thank you.	
4	Q. Have you communicated with		4	Q. The very last page of	
5	anyone outside of plaintiffs' counsel in		5	Exhibit B of your report, you list a	
6	this case about your opinions in your		6	number of expert reports, correct?	
7	report?		7	A. I do. Deposition and	
8	A. Not about my opinions, no.		8	exhibits.	
9	Q. Have you talked with anyone		9	Q. Have you reviewed any other	
10	outside of plaintiffs' counsel in this	1	0	expert reports strike that.	
11	case about your report?	1	1	Did you review any other	
12	A. Only to say that I to my	1	12	expert reports for purposes of your	
13	friends, when I refuse to go anywhere	1	13	expert report besides those listed here?	
14	with them, because I have to stay home	1	14	A. No, sir. Unless	
15	and work, only to say that I'm working on	1	15	Dr. Longo, December 2018 supplement, that	
16	a report.	1	16	was a report, and I did review that.	
17	Q. Have you discussed the	1	17	Q. We were provided today with	
18	litigation or your report with any other	1	18	a copy of a report of Longo and Rigler,	
19	experts retained by the plaintiffs in	1	9	January 15, 2019. And I'm going to mark	
20	this case?	2	20	that as Exhibit 3.	
21	A. No, sir, I have not.	2	21	(Document marked for	
22	Q. Have you reviewed any of the		22	identification as Exhibit	
23	other plaintiffs' experts' MDL reports in		23	Zelikoff-3.)	
24	this litigation besides those referenced		24	BY MR. HEGARTY:	
	Pa	ge 35			Page 37
1	in your report?		1	Q. Is that the supplemental	
2	A. I reviewed Dr. Dydek's. I		2	report that you described for us?	
3	reviewed did you say the plaintiffs'		3	A. It is, sir. It's an	
4	witnesses?		4	analysis Johnson & Johnson Historical	
5	Q. Yeah, let me let me in		•		
			5	Product Containers and Imerys' Historical	
6	your report and I can we can get it			Railroad Car Samples, etc	
7	your report and I can we can get it out here in a moment. But you list		5	Railroad Car Samples, etc Q. That report is dated	
7 8	your report and I can we can get it out here in a moment. But you list the in your list of reports, you list		5 6	Railroad Car Samples, etc Q. That report is dated January 15th, 2019, correct?	
7 8 9	your report and I can we can get it out here in a moment. But you list the in your list of reports, you list the report of Michael Crowley.		5 6 7 8 9	Railroad Car Samples, etc Q. That report is dated January 15th, 2019, correct? A. Yes, sir.	
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	your report and I can we can get it out here in a moment. But you list the in your list of reports, you list the report of Michael Crowley. A. I'm sorry, sir. Can you Q. It's in Exhibit B at the end of Exhibit B of your report. If you need a copy I can give it to you now. A. Can you give me a copy. (Document marked for identification as Exhibit Zelikoff-2.) BY MR. HEGARTY: Q. I'm marking Exhibit 2 Dr. Zelikoff's report that was provided to us in this case.	1 1 1 1 1 1 1 1 1 2 2 2 2 2	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Railroad Car Samples, etc Q. That report is dated January 15th, 2019, correct? A. Yes, sir. Q. When did you receive this report? A. In January. Q. When in relation to January 15, 2019? A. Today is the Q. Is the 21st. A. Today is the 21st. I would say somewhere between the 15th and the 21st. Actually it was this past Saturday as it was placed in my Dropbox.	

	D 2			D 40
1	Page 3		A TIL	Page 40
	Q. Yes.	$\frac{1}{2}$	A. The attorneys.	
2 3	A. I received it on Saturday. I reviewed it on Sunday.	2 3	Q. I'm going to show youA. Plaintiffs' attorneys.	
4	Q. How much time did you spend	4	(Document marked for	
5	reviewing this additional Longo and	5	identification as Exhibit	
6	Rigler report?	6	Zelikoff-4.)	
7	A. Sorry. About three hours.	7	BY MR. HEGARTY:	
8	Q. Did you read every page?	8	Q. I'm going to show you what I	
9	A. I read I reviewed each	9	marked as Exhibit Number 4. This is the	
10	page but I did not scrutinize every page.	10	MDL report provided to us for Michael	
11	Q. Did you read the entirety of	11	Crowley.	
12	the text in this supplemental report?	12	A. Mm-hmm.	
13	A. May I see the report,	13	Q. Did you read the entirety of	
14	please.	14	that report?	
15	MS. O'DELL: Objection.	15	A. I cannot say that I read the	
16	Asked and answered. That's the	16	entirety of this report. I reviewed the	
17	same question.	17	report.	
18	THE WITNESS: Should I	18	Q. Okay. Well, your report is	
19	answer?	19	dated November 16, 2018. And that report	
20	MS. O'DELL: Yes, you may.	20	is dated November 12, 2012, 2018.	
21	THE WITNESS: I reviewed the	21	When did you receive the report by	
22	text going up to Page 32 with	22	Dr. Crowley in relation to the date on	
23	greater rigor than I did the	23	the first page, November 12th.	
24	tables.	24	A. I really cannot say with	
-		-		
	Page 3)		Page 41
1	Page 3 BY MR. HEGARTY:	1	certainty. It seems to me that I	Page 41
1 2		١.	certainty. It seems to me that I received this prior to my report	Page 41
	BY MR. HEGARTY:	1		Page 41
2	BY MR. HEGARTY: Q. When you say "reviewed,"	1 2	received this prior to my report	Page 41
2 3	BY MR. HEGARTY: Q. When you say "reviewed," does that mean that you read every all the words on every page up to Page 32? A. I did.	1 2 3	received this prior to my report conclusion.	Page 41
2 3 4 5 6	BY MR. HEGARTY: Q. When you say "reviewed," does that mean that you read every all the words on every page up to Page 32? A. I did. Q. You included in the list of	1 2 3 4 5 6	received this prior to my report conclusion. Q. There are 212 pages there. Again, did you read every word of every page?	Page 41
2 3 4 5 6 7	BY MR. HEGARTY: Q. When you say "reviewed," does that mean that you read every all the words on every page up to Page 32? A. I did. Q. You included in the list of reports that you reviewed, the report of	1 2 3 4 5	received this prior to my report conclusion. Q. There are 212 pages there. Again, did you read every word of every page? A. No, sir. Did I look at	Page 41
2 3 4 5 6 7 8	BY MR. HEGARTY: Q. When you say "reviewed," does that mean that you read every all the words on every page up to Page 32? A. I did. Q. You included in the list of reports that you reviewed, the report of Michael Crowley, correct?	1 2 3 4 5 6 7 8	received this prior to my report conclusion. Q. There are 212 pages there. Again, did you read every word of every page? A. No, sir. Did I look at every word of every page? Yes.	Page 41
2 3 4 5 6 7 8 9	BY MR. HEGARTY: Q. When you say "reviewed," does that mean that you read every all the words on every page up to Page 32? A. I did. Q. You included in the list of reports that you reviewed, the report of Michael Crowley, correct? A. Every one of the reports	1 2 3 4 5 6 7 8 9	received this prior to my report conclusion. Q. There are 212 pages there. Again, did you read every word of every page? A. No, sir. Did I look at every word of every page? Yes. Q. No, my question is did you	Page 41
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2 3 4 5 6 7 8 9 10	BY MR. HEGARTY: Q. When you say "reviewed," does that mean that you read every all the words on every page up to Page 32? A. I did. Q. You included in the list of reports that you reviewed, the report of Michael Crowley, correct? A. Every one of the reports were not read with the read with the sorry, I'm caught up in the	1 2 3 4 5 6 7 8 9 10	received this prior to my report conclusion. Q. There are 212 pages there. Again, did you read every word of every page? A. No, sir. Did I look at every word of every page? Yes. Q. No, my question is did you read every word of every page. A. My answer is	Page 41
2 3 4 5 6 7 8 9 10 11 12	BY MR. HEGARTY: Q. When you say "reviewed," does that mean that you read every all the words on every page up to Page 32? A. I did. Q. You included in the list of reports that you reviewed, the report of Michael Crowley, correct? A. Every one of the reports were not read with the read with the sorry, I'm caught up in the microphone were not read with the same	1 2 3 4 5 6 7 8 9 10 11 12	received this prior to my report conclusion. Q. There are 212 pages there. Again, did you read every word of every page? A. No, sir. Did I look at every word of every page? Yes. Q. No, my question is did you read every word of every page. A. My answer is MS. O'DELL: She answered	Page 41
2 3 4 5 6 7 8 9 10 11 12 13	BY MR. HEGARTY: Q. When you say "reviewed," does that mean that you read every all the words on every page up to Page 32? A. I did. Q. You included in the list of reports that you reviewed, the report of Michael Crowley, correct? A. Every one of the reports were not read with the read with the sorry, I'm caught up in the microphone were not read with the same intensity and duration of time put into	1 2 3 4 5 6 7 8 9 10 11 12 13	received this prior to my report conclusion. Q. There are 212 pages there. Again, did you read every word of every page? A. No, sir. Did I look at every word of every page? Yes. Q. No, my question is did you read every word of every page. A. My answer is MS. O'DELL: She answered your question.	Page 41
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	BY MR. HEGARTY: Q. When you say "reviewed," does that mean that you read every all the words on every page up to Page 32? A. I did. Q. You included in the list of reports that you reviewed, the report of Michael Crowley, correct? A. Every one of the reports were not read with the read with the sorry, I'm caught up in the microphone were not read with the same intensity and duration of time put into it. I reviewed it. To what extent, I'm not clear at this moment. Q. The first report that you list in the list of reports in Exhibit B is the expert report of Michael M. Crowley, correct? A. It's written that way, yes. Q. Did you prepare this list of reports?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	received this prior to my report conclusion. Q. There are 212 pages there. Again, did you read every word of every page? A. No, sir. Did I look at every word of every page? Yes. Q. No, my question is did you read every word of every page. A. My answer is MS. O'DELL: She answered your question. THE WITNESS: I looked at every page. BY MR. HEGARTY: Q. Did you read all the references that he has in that report? A. I looked at the references. Q. Did you actually pull the references and read the citations that he refers to?	Page 41
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	D	2		D 44
1	Page		Du Considerda mananta A di di sitta di sati I	Page 44
	fragrance and chemicals within the		Dr. Crowley's report. And with that I	
$\frac{2}{2}$	fragrances. And I did receive that as an	$\begin{vmatrix} 2 \\ 3 \end{vmatrix}$	I used the case number. I reviewed each	
3	exhibit this morning.		one of the chemicals in terms of their	
5	Q. I'm sorry. What did you	4	potential carcinogenicity by, number one,	
	say?	5	putting writing down the chemical,	
6 7	A. I said I did my own	6 7	looking to see if there were other structures or chemicals or chemicals	
8	literature search in terms of fragrances,	8	that had similar names.	
9	and I think you received a copy of that this morning. In that report that I did,	9	I reviewed through Google,	
10	that I prepared, I was assessing	10	through PubMed and through Tox Lit and	
11	carcinogenicity of each of the compounds.	111	IARC reports to see whether or not there	
12	Q. Going back to the Crowley	12	was a listing for them in terms of	
13	report, did you read all the tables in	13	carcinogenicity. And that is the result.	
14	that report?	14	This is the result.	
15	A. I did not read. I reviewed.	15	Q. When did you do all of that?	
16	Q. What is	16	A. I did that post the	
17	A. I looked at them.	17	report	
18	Q. Okay. What is the	18	Q. When sorry.	
19	difference between reading and reviewing	19	A as part of my preparation	
20	to you?	20	for the deposition.	
21	A. In my mind, reading is	21	Q. When did you do it post	
$\frac{21}{22}$	in-depth assessment, and whereas	22	report in relation to today?	
23	reviewing is looking over. Reading is	23	A. One to two weeks ago.	
24	more intense.	24	Q. Did you review strike	
	more mense.		Q. Did you review surke	
	Page	3		Page 45
1		3 1	that.	Page 45
	Q. You pointed to us pointed to us strike that.		that. Did you read all the MSDSes	Page 45
1 2 3	Q. You pointed to us pointed	1	Did you read all the MSDSes	Page 45
2	Q. You pointed to us pointed to us strike that.	1 2		Page 45
2 3	Q. You pointed to us pointed to us strike that. You pointed to the document	1 2 3	Did you read all the MSDSes that you list in Exhibit Number 5?	Page 45
2 3 4	Q. You pointed to us pointed to us strike that. You pointed to the document that was provided to us this morning, which you say is what I think you said reflects your own literature search with	1 2 3 4	Did you read all the MSDSes that you list in Exhibit Number 5? A. I did not read all of the	Page 45
2 3 4 5	Q. You pointed to us pointed to us strike that. You pointed to the document that was provided to us this morning, which you say is what I think you said	1 2 3 4 5	Did you read all the MSDSes that you list in Exhibit Number 5? A. I did not read all of the MSDSes. But I did look at them. I	Page 45
2 3 4 5 6 7 8	Q. You pointed to us pointed to us strike that. You pointed to the document that was provided to us this morning, which you say is what I think you said reflects your own literature search with	1 2 3 4 5 6	Did you read all the MSDSes that you list in Exhibit Number 5? A. I did not read all of the MSDSes. But I did look at them. I reviewed them to make sure they were accurate. Q. Did you did you look at	Page 45
2 3 4 5 6 7 8 9	Q. You pointed to us pointed to us strike that. You pointed to the document that was provided to us this morning, which you say is what I think you said reflects your own literature search with regard to fragrances; is that correct?	1 2 3 4 5 6 7	Did you read all the MSDSes that you list in Exhibit Number 5? A. I did not read all of the MSDSes. But I did look at them. I reviewed them to make sure they were accurate. Q. Did you did you look at and review every MSDS listed in Exhibit	Page 45
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2 3 4 5 6 7 8 9 10 11 12	Q. You pointed to us pointed to us strike that. You pointed to the document that was provided to us this morning, which you say is what I think you said reflects your own literature search with regard to fragrances; is that correct? A. Mine and a student. Q. What student? A. A graduate student in my laboratory. (Document marked for	1 2 3 4 5 6 7 8 9 10 11 12	Did you read all the MSDSes that you list in Exhibit Number 5? A. I did not read all of the MSDSes. But I did look at them. I reviewed them to make sure they were accurate. Q. Did you did you look at and review every MSDS listed in Exhibit Number 5?	Page 45
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. You pointed to us pointed to us strike that. You pointed to the document that was provided to us this morning, which you say is what I think you said reflects your own literature search with regard to fragrances; is that correct? A. Mine and a student. Q. What student? A. A graduate student in my laboratory. (Document marked for identification as Exhibit Zelikoff-5.) BY MR. HEGARTY: Q. I've marked as Exhibit Number 5 the document that was produced to us this morning. Can you tell me what Exhibit Number 5 is. A. Exhibit Number 5 is is a list of the chemicals that part of which, if not in its entirety, were taken	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Did you read all the MSDSes that you list in Exhibit Number 5? A. I did not read all of the MSDSes. But I did look at them. I reviewed them to make sure they were accurate. Q. Did you did you look at and review every MSDS listed in Exhibit Number 5? A. No, sir. Q. I'm sorry? A. No, sir. Q. Approximately how many did you look at in review? A. I would say I looked at perhaps half. Looked looked at, not reviewed. Q. But with regard to your analysis of the fragrances that are reportedly in Johnson's Baby Powder, you did not do any of your own analysis as of	Page 45
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. You pointed to us pointed to us strike that. You pointed to the document that was provided to us this morning, which you say is what I think you said reflects your own literature search with regard to fragrances; is that correct? A. Mine and a student. Q. What student? A. A graduate student in my laboratory. (Document marked for identification as Exhibit Zelikoff-5.) BY MR. HEGARTY: Q. I've marked as Exhibit Number 5 the document that was produced to us this morning. Can you tell me what Exhibit Number 5 is. A. Exhibit Number 5 is is a list of the chemicals that part of which, if not in its entirety, were taken	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Did you read all the MSDSes that you list in Exhibit Number 5? A. I did not read all of the MSDSes. But I did look at them. I reviewed them to make sure they were accurate. Q. Did you did you look at and review every MSDS listed in Exhibit Number 5? A. No, sir. Q. I'm sorry? A. No, sir. Q. Approximately how many did you look at in review? A. I would say I looked at perhaps half. Looked looked at, not reviewed. Q. But with regard to your analysis of the fragrances that are reportedly in Johnson's Baby Powder, you did not do any of your own analysis as of	Page 45

		Page 46			Page 48
1	MS. O'DELL: Objection to	=	1	THE WITNESS: I	-
	the form.		2	post-report, I did my own search.	
2 3	THE WITNESS: I did no		3	BY MR. HEGARTY:	
	analysis except to gather the		4	Q. But my question was, before	
5	information that is out there by		5	your report, with regard to Dr. Crowley's	
6	reputable organizations.		6	report, did you actually pull the	
7	BY MR. HEGARTY:		7	literature references that he cites and	
8	Q. Well, did you gather that		8	read them yourself?	
	information before you completed your		9	A. No, sir.	
	expert report?		10	Q. You also make reference to	
11	A. I did this after my expert		11	reviewing Dr. Longo's report, MDL report,	
	report.		12	which is dated November 14, 2018. That's	
13	Q. And my question was, before		13	in the last page of Exhibit Number B. Do	
	your expert report, did you do any of		14	you see that?	
	your own analysis of the fragrances that		15	A. I I see that, yes.	
16	we are listed in Exhibit Number 5?		16	Q. Did you read every page of	
17	MS. O'DELL: Objection to		17	that report?	
18	form.		18	A. No, sir, I did not. But I	
19	THE WITNESS: I'm not sure		19	did read every page of the December 2018	
20	what you mean by analysis.		20	Longo mass supplement report.	
	BY MR. HEGARTY:		21	Q. Well, focusing on the	
22	Q. Well, did you do any of your		22	November 14, 2018, report, that report is	
11 9	own research, review of the literature,		23	over 2,000 pages. Are you aware of that?	
24	anything with regard to fragrances as of		24	A. Yes, sir.	
		Page 47			Page 49
1	the time of your signing of your expert		1	Q. Did you read all 2,000	
	report November 16, 2018?		2	pages?	
3	A. I very briefly looked up		3	A. No, sir. I did not.	
4	limonene and eugenol. And it wasn't in		4	Q. Did you read any of those	
	regards to this case. It was in regards		5	2,000 pages?	
6	to work that I do with electronic		6	A. I reviewed several of those	
7	cigarettes. They are being used as		7	pages.	
8	flavorants.		8	Q. Okay. How about the rest of	
9	Q. Was that the extent of your		9	the reports that are listed there? Did	
	review of the fragrances as of the time		10	you read every page of the reports that	
11	of your expert report, November 16, 2018?		11	are listed there?	
12	MS. O'DELL: Object to form.		12	A. I read every page of the	
13	You may answer.		13	Dr. Thomas Dydek's report. And I read	
14	THE WITNESS: Whatever is in		14	two-thirds of Dr. Plunkett's.	
15	the report from Dr. Crowley that		15	Q. As to the rest, did you	
16	listed, I looked at those.		16	review the remaining reports?	
17	BY MR. HEGARTY:		17	MS. O'DELL: Object to the	
18	Q. But as you indicated, you		18	form.	
19	did not read all the citations, the		19	BY MR. HEGARTY:	
	literature resources that Dr. Crowley		20	Q. Or not look at them at all?	
21	cites in his report and review them		21	A. I glanced over them.	
22				1 1 10 YOU FOOUL IT YOU YYORO	
	yourself? MS_O'DELL+ Object to the		22	Q. Do you recall if you were	
22 23 24	MS. O'DELL: Object to the form.		22 23 24	ever provided any draft reports from any of the plaintiffs' experts in the MDL,	

	·	Page 50			Page 52
1	where you understood them to be drafts?		1	Q. Is it correct that the	
2	A. I never received anything		2	binders to your right are copies of	
3	that I understood to be a draft document.		3	everything in under the listing	
4	(Document marked for		4	under the heading of Materials and Data	
5	identification as Exhibit		5	Considered?	
6	Zelikoff-6.)		6	MS. O'DELL: Object to the	
7	BY MR. HEGARTY:		7	form.	
8	Q. Dr. Zelikoff, I'm marking		8	THE WITNESS: I cannot say	
9	Exhibit Number 6 a copy of your		9	that every single paper in here is	
10	deposition notice for purposes of today's		10	in there. Maybe in something that	
11	deposition.		11	I have looked up, but I can't say	
12	A. Yes, sir. I see it.		12	with likely certainty that yes,	
13	Q. Did you have a chance to		13	everything is in there. Although	
14	look at that before today?		14	I cannot tell you that I reviewed	
15	A. I did not.		15	every single one and matched it to	
16	Q. What materials did you bring		16	this page.	
17	with you to the deposition today?		17	BY MR. HEGARTY:	
18	MS. O'DELL: I would just		18	Q. Who prepared who prepared	
19	reassert that the objections that		19	the document Materials and Data	
20	plaintiffs have served regarding		20	Considered?	
21	certain of the requests and would		21	A. What do you mean by	
22	state that Dr. Zelikoff has		22	prepared?	
23	brought binders of her cited		23	Q. Did you prepare it?	
24	materials, and then I believe I		24	MS. O'DELL: Object to the	
			_		
		Page 51			Page 53
1	gave you a jump drive of all the	Page 51	1	form.	Page 53
2	gave you a jump drive of all the reference materials.	Page 51	2	form. THE WITNESS: I supplied	Page 53
		Page 51		THE WITNESS: I supplied data, references, and in	Page 53
2	reference materials. BY MR. HEGARTY: Q. Let me go back to my	Page 51	2	THE WITNESS: I supplied	Page 53
2 3	reference materials. BY MR. HEGARTY: Q. Let me go back to my question. Sitting to your right are	Page 51	2 3	THE WITNESS: I supplied data, references, and in coordination and complementation with the plaintiffs' attorneys,	Page 53
2 3 4 5 6	reference materials. BY MR. HEGARTY: Q. Let me go back to my question. Sitting to your right are binders of materials. Do you know what	Page 51	2 3 4 5 6	THE WITNESS: I supplied data, references, and in coordination and complementation with the plaintiffs' attorneys, they prepared this.	Page 53
2 3 4 5 6 7	reference materials. BY MR. HEGARTY: Q. Let me go back to my question. Sitting to your right are binders of materials. Do you know what those binders are, Dr. Zelikoff?	Page 51	2 3 4 5 6 7	THE WITNESS: I supplied data, references, and in coordination and complementation with the plaintiffs' attorneys, they prepared this. (Document marked for	Page 53
2 3 4 5 6 7 8	reference materials. BY MR. HEGARTY: Q. Let me go back to my question. Sitting to your right are binders of materials. Do you know what those binders are, Dr. Zelikoff? A. I do know what those black	Page 51	2 3 4 5 6 7 8	THE WITNESS: I supplied data, references, and in coordination and complementation with the plaintiffs' attorneys, they prepared this. (Document marked for identification as Exhibit	Page 53
2 3 4 5 6 7 8 9	reference materials. BY MR. HEGARTY: Q. Let me go back to my question. Sitting to your right are binders of materials. Do you know what those binders are, Dr. Zelikoff? A. I do know what those black binders are to my right.	Page 51	2 3 4 5 6 7 8 9	THE WITNESS: I supplied data, references, and in coordination and complementation with the plaintiffs' attorneys, they prepared this. (Document marked for identification as Exhibit Zelikoff-7.)	Page 53
2 3 4 5 6 7 8 9 10	reference materials. BY MR. HEGARTY: Q. Let me go back to my question. Sitting to your right are binders of materials. Do you know what those binders are, Dr. Zelikoff? A. I do know what those black binders are to my right. Q. What are they?	Page 51	2 3 4 5 6 7 8 9 10	THE WITNESS: I supplied data, references, and in coordination and complementation with the plaintiffs' attorneys, they prepared this. (Document marked for identification as Exhibit Zelikoff-7.) BY MR. HEGARTY:	Page 53
2 3 4 5 6 7 8 9 10	reference materials. BY MR. HEGARTY: Q. Let me go back to my question. Sitting to your right are binders of materials. Do you know what those binders are, Dr. Zelikoff? A. I do know what those black binders are to my right. Q. What are they? A. They are binders containing	Page 51	2 3 4 5 6 7 8 9 10 11	THE WITNESS: I supplied data, references, and in coordination and complementation with the plaintiffs' attorneys, they prepared this. (Document marked for identification as Exhibit Zelikoff-7.) BY MR. HEGARTY: Q. I'm marking as Exhibit	Page 53
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	D5			D 5.6
	Page 5			Page 56
1	Dr. Zelikoff.	1	Q. You had not read that	
2	BY MR. HEGARTY:	2	manuscript though at the time you	
3	Q. Are the materials you also	3	completed your report, correct?	
4	cited I'm sorry. Are the references	4	A. No, I did not, sir.	
5	you also cited in the body of your report	5	Q. So that manuscript did not	
6	contained in those notebooks to your	6	inform the opinions set out in your	
7	knowledge?	7	report, correct?	
8	A. To my knowledge, they are.	8	MS. O'DELL: Objection to	
9	Q. Are the materials that	9	form.	
10	that are in those notebooks materials you	10	THE WITNESS: Do I answer?	
11	reviewed or had access to prior to	11	MS. O'DELL: Yes, you may	
12	completion of your expert report?	12	answer.	
13	A. Prior to the completion.	13	THE WITNESS: Okay.	
14	However I also prepared my own. So in	14	MS. O'DELL: Yes.	
15	going through in coming to my	15	THE WITNESS: I I had	
16	conclusion and opinion, I also went	16	access to an abstract from the	
17	through the literature using various	17	same author with emerging results	I
18	websites including, as I said Tox Lit,	18	that was brought forward in larger	
19	Google and PubMed. And I arranged my	19	context and in greater detail in	
20	• •	20		
	documents that I thought were relevant		the publication. So I had so	
21	after reviewing all of the ones that came	21	the abstract did go into my	
22	up in my literature search, and I	22	thinking.	
23	reviewed the abstracts and if I found	23	BY MR. HEGARTY:	
24	them to be relevant, I placed them in	24	Q. The manuscript though we	
	Page 5	5		Page 57
1		1	marked as Exhibit 8 did not go into your	Page 57
1 2	in order and in bins, in silos, in	1	marked as Exhibit 8 did not go into your thinking?	Page 57
2	in order and in bins, in silos, in different areas, and I prepared my own.	1 2	thinking?	Page 57
2 3	in order and in bins, in silos, in different areas, and I prepared my own. Q. We were also provided today,	1 2 3	thinking? A. The manuscript no, sir,	Page 57
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Page 58	Page 60
1 the the Saed manuscript? 1 that is a supplement of that or a an	ŭ
2 A. Yes, sir, she did. 2 adjacent document.	
3 Q. So neither the Canadian 3 Q. Do you have that document	
4 assessment nor Dr. Saed's manuscript were 4 with you?	
5 materials you found on your own, correct? 5 Å. Perhaps. I do, yes, sir.	
6 A. Correct. 6 Q. May I see it, please.	
7 Q. Do you know how Ms. Emmel 7 (Document marked for	
8 came to receive an unpublished 8 identification as Exhibit	
9 manuscript, apart from any discussions 9 Zelikoff-10.)	
10 that you had with plaintiffs' counsel? 10 BY MR. HEGARTY:	
11 A. Actually, which manuscript 11 Q. I'm going to mark as Exhibit	
12 are you referring to? 12 Number 10 what you just handed to n	
Q. Well, there's only one 13 which is titled "Systematic Review an	
14 manuscript in front of you? 14 Meta-Analysis of the Association Bet	
15 A. Reproductive Science 15 Perineal Use of Talc and Risk of Ovar	rian
16 Q. Dr yes. 16 Cancer," lead author Taher.	
17 A Dr. Saed? 17 When did you receive Exhibi	t
To my knowledge, this has 18 Number 10?	
19 and seeing the cover letter that was 19 MS. O'DELL: Did we skip	
20 associated with this, this is not a 20 nine?	
21 manuscript. This is an in-press 21 MR. HEGARTY: Exhibit 9 is	is
22 manuscript, and there is a very large 22 the draft screening assessment.	
23 difference. 23 MS. O'DELL: Okay. I'm	
24 Q. Okay. Apart from anything 24 sorry. I had that as Number 8.	
Page 59	Page 61
1 that counsel for plaintiffs may have told 1 MR. HEGARTY: Number 8	is
2 you, do you know how this manuscript 2 the manuscript by Dr. Saed.	
3 became available for you to review? 3 MS. O'DELL: Okay. I'm	
4 A. I have no knowledge. 4 sorry.	
5 Q. With regard to the 5 BY MR. HEGARTY:	
6 Canadian sorry, the draft screening 6 Q. Going back to my question,	
7 assessment, did you read the entirety of 7 when did you receive the article by	
8 this assessment? 8 Taher?	
9 A. I'm looking for it right 9 A. At the same time that I	
10 now. 10 received the health the screening	
11 Q. Sorry. 11 health assessment from Health Canad	a.
12 A. Thank you. Except for the 12 Q. Who provided it to you?	
13 references, I read the entirety of the 13 A. Ms. Emmel.	
14 text.	
15 Q. Did you pull the references 15 that document?	
16 and review the references themselves? 16 A. I read the entirety of this	
17 A. No, sir, I did not. 17 document minus the references.	
18 Q. There are also supplemental 18 Q. Did you pull the literature	
19 materials associated with this or do 19 cited in the Taher article and review in	t
20 you know whether there are supplemental 20 yourself?	
21 materials associated with this draft, or 21 A. I may have looked at	
22 with this draft screening assessment? 22 references that have were on the	
23 A. I was also provided a 23 reference list of the Saed document, b	out
24 document by Dr. Taher. I'm not sure if 24 I did not go through each individual	

	· I	Page 62			Page 64
1	reference in the document and pull it		1	Q. Have you reviewed any	-
2	specifically.		2	materials since completion of your report	
3	Q. The Taher article strike		3	for purposes of your work on this case	
4	that.		4	that we have not talked about this	
5	You were provided the Taher		5	morning?	
6	article after you completed your expert		6	A. I reviewed since my	
7	report in this case, correct?		7	report, I reviewed Dr. Pier's deposition.	
8	A. That's correct.		8	Is that what you mean?	
9	Q. So it's correct that it did		9	Q. Dr. Julie Pier's deposition?	
10	not inform your opinions in your report,		10	A. Yes. Three-quarters of it.	
11	correct?		11	It is a very long deposition.	
12	A. It informed my opinions		12	Q. The second-to-last page of	
13	let me say that it added to my opinions		13	Exhibit Number B under depositions makes	
14	following the writing of my report. It		14	reference to depositions and exhibits of	
15	supported my position.		15	Julie Pier dated 9/12 to 9/13/2018.	
16	Q. Did the assessment conclude		16	Do you see that?	
17	that talc use causes ovarian cancer?		17	A. Sorry, sir. Fifth line	
18	Strike that. Let me strike that		18	down, deposition/exhibits of Julie Pier.	
19	question. We'll come back to that.		19	Q. Is that the deposition to	
20	(Document marked for		20	which you just referred?	
21 22	identification as Exhibit		21 22	A. To the best of my knowledge.	
23	Zelikoff-11.) BY MR. HEGARTY:		23	Q. Anything else that you have reviewed for purposes of your work on	
24	Q. I'm going to mark next as		24	this case that we have not talked about	
24	Q. Thi going to mark next as		4	this case that we have not tarked about	
	I	Page 63			Page 65
1	Exhibit Number 11 a copy of the Exhibit C	Page 63	1	this morning or made reference to?	Page 65
2	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report.	Page 63	2	A. I reviewed Dr. Hopkins'	Page 65
2 3	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report. Did you prepare Exhibit	Page 63	2 3	A. I reviewed Dr. Hopkins' report.	Page 65
2 3 4	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report. Did you prepare Exhibit Number C?	Page 63	2 3 4	A. I reviewed Dr. Hopkins' report. Q. Let me ask it different.	Page 65
2 3 4 5	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report. Did you prepare Exhibit Number C? A. If you mean by preparation,	Page 63	2 3 4 5	A. I reviewed Dr. Hopkins' report. Q. Let me ask it different. Anything that you have reviewed that's	Page 65
2 3 4 5 6	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report. Did you prepare Exhibit Number C? A. If you mean by preparation, did I write it, did I prepare the	Page 63	2 3 4 5 6	A. I reviewed Dr. Hopkins' report. Q. Let me ask it different. Anything that you have reviewed that's either not listed somewhere in your	Page 65
2 3 4 5 6 7	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report. Did you prepare Exhibit Number C? A. If you mean by preparation, did I write it, did I prepare the summary, no, sir I did not.	Page 63	2 3 4 5 6 7	A. I reviewed Dr. Hopkins' report. Q. Let me ask it different. Anything that you have reviewed that's either not listed somewhere in your report or we have not marked as an	Page 65
2 3 4 5 6 7 8	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report. Did you prepare Exhibit Number C? A. If you mean by preparation, did I write it, did I prepare the summary, no, sir I did not. Q. Do you know who prepared it?	Page 63	2 3 4 5 6 7 8	A. I reviewed Dr. Hopkins' report. Q. Let me ask it different. Anything that you have reviewed that's either not listed somewhere in your report or we have not marked as an exhibit?	Page 65
2 3 4 5 6 7 8 9	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report. Did you prepare Exhibit Number C? A. If you mean by preparation, did I write it, did I prepare the summary, no, sir I did not. Q. Do you know who prepared it? A. From my reading, it appears	Page 63	2 3 4 5 6 7 8 9	A. I reviewed Dr. Hopkins' report. Q. Let me ask it different. Anything that you have reviewed that's either not listed somewhere in your report or we have not marked as an exhibit? A. To the best of my knowledge,	Page 65
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report. Did you prepare Exhibit Number C? A. If you mean by preparation, did I write it, did I prepare the summary, no, sir I did not. Q. Do you know who prepared it? A. From my reading, it appears as though the attorneys may have prepared it based upon to my knowledge, based upon other deponents. Q. Other than the documents that we have talked about that are laid out before us, did you bring any other	Page 63	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. I reviewed Dr. Hopkins' report. Q. Let me ask it different. Anything that you have reviewed that's either not listed somewhere in your report or we have not marked as an exhibit? A. To the best of my knowledge, no. Q. With regard to Exhibit C, did you review all the documents that are referenced in Exhibit Number C? A. Can I see that, please. Q. I think you still have a	Page 65
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report. Did you prepare Exhibit Number C? A. If you mean by preparation, did I write it, did I prepare the summary, no, sir I did not. Q. Do you know who prepared it? A. From my reading, it appears as though the attorneys may have prepared it based upon to my knowledge, based upon other deponents. Q. Other than the documents that we have talked about that are laid out before us, did you bring any other documents with you to the deposition?	Page 63	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. I reviewed Dr. Hopkins' report. Q. Let me ask it different. Anything that you have reviewed that's either not listed somewhere in your report or we have not marked as an exhibit? A. To the best of my knowledge, no. Q. With regard to Exhibit C, did you review all the documents that are referenced in Exhibit Number C? A. Can I see that, please. Q. I think you still have a copy in front of you.	Page 65
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report. Did you prepare Exhibit Number C? A. If you mean by preparation, did I write it, did I prepare the summary, no, sir I did not. Q. Do you know who prepared it? A. From my reading, it appears as though the attorneys may have prepared it based upon to my knowledge, based upon other deponents. Q. Other than the documents that we have talked about that are laid out before us, did you bring any other documents with you to the deposition? A. Other than the documents that are to my right in the folders, the	Page 63	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. I reviewed Dr. Hopkins' report. Q. Let me ask it different. Anything that you have reviewed that's either not listed somewhere in your report or we have not marked as an exhibit? A. To the best of my knowledge, no. Q. With regard to Exhibit C, did you review all the documents that are referenced in Exhibit Number C? A. Can I see that, please. Q. I think you still have a copy in front of you. A. Okay. Q. It's Exhibit Number 11,	Page 65
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report. Did you prepare Exhibit Number C? A. If you mean by preparation, did I write it, did I prepare the summary, no, sir I did not. Q. Do you know who prepared it? A. From my reading, it appears as though the attorneys may have prepared it based upon to my knowledge, based upon other deponents. Q. Other than the documents that we have talked about that are laid out before us, did you bring any other documents with you to the deposition? A. Other than the documents that are to my right in the folders, the health assessment from the the screening health assessment from Canada, Dr. Taher's paper, a letter this is in	Page 63	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. I reviewed Dr. Hopkins' report. Q. Let me ask it different. Anything that you have reviewed that's either not listed somewhere in your report or we have not marked as an exhibit? A. To the best of my knowledge, no. Q. With regard to Exhibit C, did you review all the documents that are referenced in Exhibit Number C? A. Can I see that, please. Q. I think you still have a copy in front of you. A. Okay. Q. It's Exhibit Number 11, which is marked Exhibit which is Exhibit C. Did you actually pull the documents and confirm the accuracy of the	Page 65
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report. Did you prepare Exhibit Number C? A. If you mean by preparation, did I write it, did I prepare the summary, no, sir I did not. Q. Do you know who prepared it? A. From my reading, it appears as though the attorneys may have prepared it based upon to my knowledge, based upon other deponents. Q. Other than the documents that we have talked about that are laid out before us, did you bring any other documents with you to the deposition? A. Other than the documents that are to my right in the folders, the health assessment from the the screening health assessment from Canada, Dr. Taher's paper, a letter this is in the documents to my right, a letter from	Page 63	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. I reviewed Dr. Hopkins' report. Q. Let me ask it different. Anything that you have reviewed that's either not listed somewhere in your report or we have not marked as an exhibit? A. To the best of my knowledge, no. Q. With regard to Exhibit C, did you review all the documents that are referenced in Exhibit Number C? A. Can I see that, please. Q. I think you still have a copy in front of you. A. Okay. Q. It's Exhibit Number 11, which is marked Exhibit which is Exhibit C. Did you actually pull the documents and confirm the accuracy of the information	Page 65
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Exhibit Number 11 a copy of the Exhibit C that's referenced in your report. Did you prepare Exhibit Number C? A. If you mean by preparation, did I write it, did I prepare the summary, no, sir I did not. Q. Do you know who prepared it? A. From my reading, it appears as though the attorneys may have prepared it based upon to my knowledge, based upon other deponents. Q. Other than the documents that we have talked about that are laid out before us, did you bring any other documents with you to the deposition? A. Other than the documents that are to my right in the folders, the health assessment from the the screening health assessment from Canada, Dr. Taher's paper, a letter this is in	Page 63	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. I reviewed Dr. Hopkins' report. Q. Let me ask it different. Anything that you have reviewed that's either not listed somewhere in your report or we have not marked as an exhibit? A. To the best of my knowledge, no. Q. With regard to Exhibit C, did you review all the documents that are referenced in Exhibit Number C? A. Can I see that, please. Q. I think you still have a copy in front of you. A. Okay. Q. It's Exhibit Number 11, which is marked Exhibit which is Exhibit C. Did you actually pull the documents and confirm the accuracy of the	Page 65

	· Pa	nge 66			Page 68
1	A. There are no there are no		1	BY MR. HEGARTY:	
2	references in here, as I understand it.		2	Q. You agree that the standard	
3	Q. Well, there are Bates		3	for proving biologic plausibility or any	
4	numbers		4	other scientific issue in the medical	
5	A. Bates numbers.		5	literature is the same one that applies	
6	Q that are listed at the		6	in litigation, correct?	
7	right, which correspond to documents,		7	MS. O'DELL: Object to the	
8	correct?		8	form. If you know.	
9	A. Yes, but when I when I		9	THE WITNESS: Can you repeat	
10	hear references I think of citations,	1	10	that, please.	
11	papers.		11	BY MR. HEGARTY:	
12	Q. Did you actually pull the		12	Q. Sure. You agree that the	
13	documents whose Bates numbers are listed		13	standard for proving biologic	
14	and confirm the accuracy of the		13 14	plausibility or any other scientific	
15	information contained in Exhibit C?		15	issue in a medical literature or in	
16			15 16	science should be the same that is	
17	A. I did not pull them as part		10 17	applied in litigation?	
18	of reviewing this exhibit, but I have looked at them, because I have gone		1 / 18	**	
19			18 19	MS. O'DELL: Object to the form.	
	through all of the production documents.			THE WITNESS: I will use the	
20	Q. With regard to your expert		20		
21	report in this case, is it correct that		21	same scrutiny and rigor, as I said	
22	you prepared that report strike that.		22	before.	
23	With regard to your expert		23	BY MR. HEGARTY:	
24	report it defines the scope of your	4	24	Q. You would you intend to	
	Pa	ige 67			Page 69
1	testimony in this case, correct?		1	apply the same standards to your report	Page 69
1 2			1 2	apply the same standards to your report and your opinions in this case as you	Page 69
	testimony in this case, correct?			and your opinions in this case as you	Page 69
2	testimony in this case, correct? MS. O'DELL: Objection to form.		2	and your opinions in this case as you would apply if you were looking at this	Page 69
2 3	testimony in this case, correct? MS. O'DELL: Objection to		2 3	and your opinions in this case as you would apply if you were looking at this as simply a professor at New York	Page 69
2 3 4	testimony in this case, correct? MS. O'DELL: Objection to form. THE WITNESS: Yes, it does.		2 3 4	and your opinions in this case as you would apply if you were looking at this as simply a professor at New York University?	Page 69
2 3 4 5	testimony in this case, correct? MS. O'DELL: Objection to form. THE WITNESS: Yes, it does. BY MR. HEGARTY: Q. And is it correct that the		2 3 4 5	and your opinions in this case as you would apply if you were looking at this as simply a professor at New York University?	Page 69
2 3 4 5 6	testimony in this case, correct? MS. O'DELL: Objection to form. THE WITNESS: Yes, it does. BY MR. HEGARTY: Q. And is it correct that the report was prepared with the same		2 3 4 5 6	and your opinions in this case as you would apply if you were looking at this as simply a professor at New York University? A. Well, I don't see simply a	Page 69
2 3 4 5 6 7	testimony in this case, correct? MS. O'DELL: Objection to form. THE WITNESS: Yes, it does. BY MR. HEGARTY: Q. And is it correct that the report was prepared with the same methodology and approach as you would		2 3 4 5 6 7	and your opinions in this case as you would apply if you were looking at this as simply a professor at New York University? A. Well, I don't see simply a professor.	Page 69
2 3 4 5 6 7 8	testimony in this case, correct? MS. O'DELL: Objection to form. THE WITNESS: Yes, it does. BY MR. HEGARTY: Q. And is it correct that the report was prepared with the same methodology and approach as you would have prepared an article for publication		2 3 4 5 6 7 8	and your opinions in this case as you would apply if you were looking at this as simply a professor at New York University? A. Well, I don't see simply a professor. If I were I review papers. I think I've answered this	Page 69
2 3 4 5 6 7 8 9	testimony in this case, correct? MS. O'DELL: Objection to form. THE WITNESS: Yes, it does. BY MR. HEGARTY: Q. And is it correct that the report was prepared with the same methodology and approach as you would have prepared an article for publication in a scientific journal?	1	2 3 4 5 6 7 8 9	and your opinions in this case as you would apply if you were looking at this as simply a professor at New York University? A. Well, I don't see simply a professor. If I were I review papers. I think I've answered this already. But I review papers and	Page 69
2 3 4 5 6 7 8 9 10	testimony in this case, correct? MS. O'DELL: Objection to form. THE WITNESS: Yes, it does. BY MR. HEGARTY: Q. And is it correct that the report was prepared with the same methodology and approach as you would have prepared an article for publication in a scientific journal? A. An article, a grant, a	1	2 3 4 5 6 7 8 9	and your opinions in this case as you would apply if you were looking at this as simply a professor at New York University? A. Well, I don't see simply a professor. If I were I review papers. I think I've answered this already. But I review papers and literature with the same scrutiny as I	Page 69
2 3 4 5 6 7 8 9 10	testimony in this case, correct? MS. O'DELL: Objection to form. THE WITNESS: Yes, it does. BY MR. HEGARTY: Q. And is it correct that the report was prepared with the same methodology and approach as you would have prepared an article for publication in a scientific journal? A. An article, a grant, a review, an advisory board report, with	1 1 1 1 1	2 3 4 5 6 7 8 9 10	and your opinions in this case as you would apply if you were looking at this as simply a professor at New York University? A. Well, I don't see simply a professor. If I were I review papers. I think I've answered this already. But I review papers and literature with the same scrutiny as I prepared this report.	Page 69
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	Pag		d v d	Page 72
$\frac{1}{2}$	expert report dated November 16, 2018,		J J 1	
2	with the same intent as if signed under	2	7 1	
3	penalty of perjury?	3		
4	MS. O'DELL: Object to form.	4		
5	THE WITNESS: I'm not sure I		, , ,	
6	understand what that question	6	1	
7	means.			
8	BY MR. HEGARTY:	8	1	
9	Q. Well, did you by signing	14)	
10	this report, did you confirm to the	10	J 1 , J J	
11	accuracy of everything contained in the	1	,	
12	report?	12		
13	A. To the best of my knowledge,	13	1 / 1	
14	I signed this report knowing that I	14	7 1	
15	prepared this report and there is with	1:	1 7 1	
16	the same intent of accuracy and rigor.	10	` ' '	
17	Q. You understand this is	1′		
18	supposed to be your testimony as if on a	13	1 2	
19	stand before a judge or a jury, correct?	19		
20 21	MS. O'DELL: Object to the	20	1 '	
	form.	2		
22 23	THE WITNESS: My	22 23		
24	understanding of the deposition is that it is a legal document and	22		
Z 4	that it is a legal document and	<u> </u>	don't intend to offer the opinion that	
	Pag	271		Page 73
1		_	use of Johnson's Baby Powder or Shower to	Page 73
1 2	testifying my my opinion. And	271 1 1 1 1 1 1 1 1 1	<u> </u>	Page 73
2	testifying my my opinion. And that it has to be honest and	1	Shower causes ovarian cancer, correct?	Page 73
	testifying my my opinion. And	[1]	Shower causes ovarian cancer, correct? A. My mission, the question	Page 73
2 3	testifying my my opinion. And that it has to be honest and truthful and transparent.	(1) (2) (3)	Shower causes ovarian cancer, correct? A. My mission, the question that I was asked by plaintiff attorney	Page 73
2 3 4	testifying my my opinion. And that it has to be honest and truthful and transparent. BY MR. HEGARTY: Q. Well, this time I'm talking	[1 2 3	A. My mission, the question that I was asked by plaintiff attorney was to confer or to assess biological	Page 73
2 3 4 5	testifying my my opinion. And that it has to be honest and truthful and transparent. BY MR. HEGARTY: Q. Well, this time I'm talking about your report. Do you understand		A. My mission, the question that I was asked by plaintiff attorney was to confer or to assess biological plausibility in the causation of talc for ovarian cancer.	Page 73
2 3 4 5 6	testifying my my opinion. And that it has to be honest and truthful and transparent. BY MR. HEGARTY: Q. Well, this time I'm talking about your report. Do you understand your report is supposed to be your		A. My mission, the question that I was asked by plaintiff attorney was to confer or to assess biological plausibility in the causation of talc for ovarian cancer.	Page 73
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	P	<u>. T</u>		D 76
,	Page 7		harmon don an important and in a	Page 76
$\frac{1}{2}$	including Dr. Saed's paper. They added		- J	
3	to my opinion, supplemented them. But it	$\begin{vmatrix} 2 \\ 3 \end{vmatrix}$	1 ,	
	is but my my opinion stays the same		3	
4	as the report.	4	r 1	- 1
5	Q. Okay.	5	<i>y</i>	- 1
6 7	MR. HEGARTY: The next	6	3	- 1
	section I have is pretty long. I	8	$\boldsymbol{\mathcal{E}}$	
8 9	don't know if you want to take a		C	
10	quick break now or just keep	10		
	going. It's up to you. MS. O'DELL: We've been		,	
11		11 12		
12	going about an hour. I think		3	
13	that's probably a good idea.	13	•	
14 15	MR. HEGARTY: Because	14	<u>.</u>	
	otherwise it's not there's not	15	,	
16 17	going to be a good break time. So	16	1	
	we should probably do it now.	17		
18	MS. O'DELL: Well, we can	18		
19	definitely do it now, but we'll	19	, ,	
20	of course we'll break when the	20	₹ 1	
21	witness needs to break.	21	•	
22	MR. HEGARTY: Understood.	22	•	
23 24	Understood. But you know what I	23	,	
24	mean.	24	scientists in that area, as well as	- 1
	Page 7	5		Page 77
1	MS. O'DELL: Yeah.	1	others, then I will I will use it.	
2	THE VIDEOGRAPHER: Stand by	2	Q. That's not how you prepare	
3	please. The time is 10:11 a.m.	3	· · · · · · · · · · · · · · · · · · ·	
4	Off the record.	4	your articles for journals though,	
5	(Short break.)	5		
6	THE VIDEOGRAPHER: We are	6	A. No, that's the same way I	
7	back on the record. The time is	7	prepare them.	
8	10:26 a.m.	8	If they are if they are,	
9	BY MR. HEGARTY:	9	again, common knowledge, I will not	
10	Q. Dr. Zelikoff, with regard to	10	necessarily cite them.	
11	your expert report, do you have that in	11		
12	front of you?	12	authors are to cite material to which	
13	A. I do now. Thank you.	13	they are relying on or referring to in	
14	Q. We marked that as exhibit	14	1	
15	what?	15	<i>C</i> , 3	
16	A. Exhibit 2.	16	1	
17	Q. With regard to Exhibit	17		
18	Number 2, is it your testimony that all	18	•	
19	of the sentences in your report are your	19		
20	own words and not copied from others,	20	•	
21	except where you used quotations?	21	★ '	
22	A. Mm-hmm. The way I report	22	let's use nickel instead. If nickel is	
122				
23 24	and write publications is if something is, I feel, common knowledge or provided	23 24		

	Page	78		Page 80
1	they're all saying the same thing, I in		Q. Is that not is that a	
2	some cases may take what the IARC has	2	definition you agree with?	
3	said and put it in my reference.	3	A. I agree that there's ways to	
4	Q. And it's your testimony that	4	interpret that.	
5	you do that in all you've done that in	5	Q. Is that is that the	
6	all the articles that you've ever	6	definition New York University applies to	
7	published?	7	its students?	
8	MS. O'DELL: Objection to	8	A. This sentence, "Presenting	
9	form.	9	others' work without adequate	
10	THE WITNESS: I can't say	10	<u>-</u>	
11	about all the articles. I	11		
12	published over 130	12		
13	MR. HEGARTY: Mark	13		
14	THE WITNESS:	14	· ·	
15	publications and book chapters.	15		
16	(Document marked for	16	, , ,	
17	identification as Exhibit	17		
18	Zelikoff-12.)	18	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
19	BY MR. HEGARTY:	19		
20	Q. Let me mark as Exhibit	20		
21	Number 12 the academic integrity for	21		
22	students at NYU policy. Is this the	22	words incorporated without quotation	
23	policy applicable to your university?	23		
24	A. It appears to be that you've	24	Q. It also says that,	
	Page	79		Page 81
1	taken it off the website in the academic	1	"Plagiarism is an unacknowledged passage	
2	integrity for students at NYU.	2	paraphrased from another's work."	
3	Q. If you turn to the second	3	Do you see that?	
4	page, there is a definition of	4	A. Some examples of plagiarism,	
5	plagiarism, that says, "Presenting	5	"Unacknowledged passage rephrased from	
6	others' works without adequate	6	another's work."	
7	acknowledgment of its source as though it	7	Q. Do you agree those are	
8	were one's own."	8	the two definitions that I just read from	
9	A. I'm sorry.	9	your university's own policy for students	
10	Q. Do you agree with that	10		
11	definition?	11		
1 * *	definition.			
12	A. I'm sorry. What	12	interpretation or what they've put on the	
		12 13	• •	
12	A. I'm sorry. What		website, yes.	
12 13	A. I'm sorry. WhatQ. Second page of Exhibit 12.	13	website, yes. Q. Should this be a policy	
12 13 14	A. I'm sorry. WhatQ. Second page of Exhibit 12.A. You mean on the back? Is it under Number 2, Number 1?	13 14	website, yes. Q. Should this be a policy strike that.	
12 13 14 15	A. I'm sorry. WhatQ. Second page of Exhibit 12.A. You mean on the back? Is it	13 14 15	website, yes. Q. Should this be a policy strike that. Is this a policy that	
12 13 14 15 16	 A. I'm sorry. What Q. Second page of Exhibit 12. A. You mean on the back? Is it under Number 2, Number 1? Q. Number 1. The definition of plagiarism by your university for your 	13 14 15 16	website, yes. Q. Should this be a policy strike that. Is this a policy that applies to students at NY university?	
12 13 14 15 16 17	 A. I'm sorry. What Q. Second page of Exhibit 12. A. You mean on the back? Is it under Number 2, Number 1? Q. Number 1. The definition of plagiarism by your university for your students is, "Presenting others' work 	13 14 15 16 17	website, yes. Q. Should this be a policy strike that. Is this a policy that applies to students at NY university? A. It applies it's an	
12 13 14 15 16 17 18	A. I'm sorry. What Q. Second page of Exhibit 12. A. You mean on the back? Is it under Number 2, Number 1? Q. Number 1. The definition of plagiarism by your university for your students is, "Presenting others' work without adequate acknowledgement of its	13 14 15 16 17 18	website, yes. Q. Should this be a policy strike that. Is this a policy that applies to students at NY university? A. It applies it's an academic integrity for students at NYU.	
12 13 14 15 16 17 18 19	A. I'm sorry. What Q. Second page of Exhibit 12. A. You mean on the back? Is it under Number 2, Number 1? Q. Number 1. The definition of plagiarism by your university for your students is, "Presenting others' work without adequate acknowledgement of its source as though it were one's own."	13 14 15 16 17 18 19 20	website, yes. Q. Should this be a policy strike that. Is this a policy that applies to students at NY university? A. It applies it's an academic integrity for students at NYU. Q. Do you agree that professors	
12 13 14 15 16 17 18 19 20 21	A. I'm sorry. What Q. Second page of Exhibit 12. A. You mean on the back? Is it under Number 2, Number 1? Q. Number 1. The definition of plagiarism by your university for your students is, "Presenting others' work without adequate acknowledgement of its	13 14 15 16 17 18 19 20 21	website, yes. Q. Should this be a policy strike that. Is this a policy that applies to students at NY university? A. It applies it's an academic integrity for students at NYU. Q. Do you agree that professors at NY university should also conform to	
12 13 14 15 16 17 18 19 20	A. I'm sorry. What Q. Second page of Exhibit 12. A. You mean on the back? Is it under Number 2, Number 1? Q. Number 1. The definition of plagiarism by your university for your students is, "Presenting others' work without adequate acknowledgement of its source as though it were one's own." Do you agree with that	13 14 15 16 17 18 19 20	website, yes. Q. Should this be a policy strike that. Is this a policy that applies to students at NY university? A. It applies it's an academic integrity for students at NYU. Q. Do you agree that professors at NY university should also conform to this policy?	

		Page 82			Page 84
1	scientists at any level.		1	Q. Do you know who Shawn Levy	
2	Q. You would agree that this		2	is?	
3	should apply to your work as well,		3	A. I do not.	
4	correct?		4	Q. Did you review Dr. Levy's	
5	A. I think that this definition		5	report for purposes of your preparing	
6	is open to interpretation.		6	your report in this case?	
7	Q. Well, do you either agree or		7	A. I actually looked at it, but	
8	disagree that this well, strike that.		8	did not did not read it.	
9	Do you agree that this		9	Q. When did you have a chance	
10	policy should be applied to your work in		10	to look at his expert report?	
11	this case?		11	A. I have looked at it I'm	
12	A. I agree that plagiarism is		12	trying to gather the knowledge. I	
13	defined as presenting others' work		13	actually do not recall when I looked at	
14	without adequate acknowledgment of its		14	it.	
15	source as though it were one's own.		15	Q. If you look at your report	
16	That's the NYU policy for students.		16	on Page 20. In that exhibit, Doctor.	
17	Q. Did you you did that in		17	A. Oh okay.	
18	your own report, correct?		18	Q. Your report and the portion	
19	MS. O'DELL: Object to form.		19	of Dr. Levy's report is attached, and if	
20	THE WITNESS: I did what in		20	you look at your report Page 20 and his	
21	my own report?		21	report Page 5	
22	BY MR. HEGARTY:		22	MS. O'DELL: I think, Mark,	
23	Q. You plagiarized portions of		23	I think there's confusion because	
24	other people's work without proper		24	there's two documents put together	
		Page 83			Page 85
1	acknowledgment, correct?		1	in this	
2	MS. O'DELL: Objection to		2	MR. HEGARTY: Right. One is	
3	form.		3	her report and one is Levy's	
4	THE WITNESS: That is		4	report.	
5	totally incorrect.		5	MS. O'DELL: I just think	
6	I used sentences from other		6	that that was the confusion.	
7	people's other people's papers		7	THE WITNESS: Thank you.	
8	because they were common knowledge		8	BY MR. HEGARTY:	
9	and contributed by multiple		9	Q. So the do you see that	
10	authors. And it was		10	sentences marked as 1 and 2 from	
11	BY MR. HEGARTY:		11	Dr. Levy's report are identical to	
12	Q. I'm going to mark sorry.		12	sentences marked 1 and 2 in your report?	
13	A. And it was stated in a way		13	MS. O'DELL: Object to form.	
14	that I couldn't have stated better.		14	And, Doctor, if you need to	
15	Q. I'm going to mark as		15	take the documents apart and	
16	Exhibit 13 a report a portion of your		16	compare them, rather than flipping	
17	report dated November 16, 2018. And the		17	back and forth, if that would be	
18	back of that is a portion of Rule 26		18	helpful to you, feel free to do	
19	expert report of an expert by the name of		19	that.	
20	Shawn Levy.		20	THE WITNESS: Good idea. I	
21	(Document marked for		21	actually don't recall. Could	
22	identification as Exhibit		22	you could you tell me when my	
00				•	
23 24	Zelikoff-13.) BY MR. HEGARTY:		23 24	report is dated please? BY MR. HEGARTY:	

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	Page 8			Page 88
1	Q. November 16. His report is	1	from either Dr. Levy's report or from	
2	also dated November 16.	2	somewhere some other source?	- 1
3	A. I did not actually see this	3	A. The thoughts are the same.	
4	report until after mine.	4	The words seem to be identical. And	- 1
	•	1 -		
5	However, let me address your	5	again, if you interpret that one way and	
6	question to the best of my ability.	6	I interpret it another, I certainly do	
7	"Things stated as both	7	not interpret it as plagiarism.	
8	inherited and acquired gene mutations	8	Q. Let me show you another	- 1
9	work together to cause cancer."	9	example.	
10	Everyone from the time of	10	(Document marked for	
11	their scientific career back in college	11	identification as Exhibit	
12	knows that.	12	Zelikoff-14.)	
13	"While genetic testing"	13	BY MR. HEGARTY:	
14	let me make sure I have both "both	14	Q. I'm going to mark as	
15	inherited and acquired gene mutations	15	Exhibit 14, again a portion of your	
16	work together to cause cancer."	16	report Page 12 and a portion of a report	
17	How there is no way for	17	by Rebecca Smith-Bindman. Do you know	
18	me to say that differently. This is a	18	who that is?	
19	very well statement, very well put	19	A. Not at all.	
20	statement. I used it without a	20	Q. Did you see her report in	
21	reference. Even if one	21	this case before preparing your report?	- 1
22	Q. My question I'm sorry. I	22	A. I never looked at her	
23	thought you were finished.	23	report.	- 1
24	A. "Even if one has inherited a	24	Q. If you would look at the two	
	Page 8'	,		Page 89
1	genetic mutation that predisposes one's	1	reports side by side under the	
2	chances, doesn't mean he or she has to	2	definition under the heading	
3	get cancer." Again, common knowledge	3	Fragrances	
4	from everyone.	4	A. I'm sorry, I don't have her	
5	Q. Well, Dr. Zelikoff, my	5	•	
	question is different than that.		report.	
6 7	•	6	Q. You have one page of her	
	My question is, can you	0	report in that exhibit. You have the	
8	explain to us here today, given that you	8	the front page and the one page of her	
9	did not see Dr. Levy's report until after	9	report, and you have Page 12 of your	
10	you completed your report, how you have	10	report, correct?	
11	several identical sentences between your	11	A. I see. Correct.	
12	report and Dr. Levy's report?	12	Q. Do you see that the section	
13	<u> </u>	10		
	MS. O'DELL: Object to the	13	under the heading Fragrances is identical	
14	MS. O'DELL: Object to the form.	14	between the two reports?	
14 15	MS. O'DELL: Object to the form. BY MR. HEGARTY:	14 15	between the two reports? A. Yes. They are identical	
14 15 16	MS. O'DELL: Object to the form. BY MR. HEGARTY: Q. Dr. Levy's report.	14 15 16	between the two reports? A. Yes. They are identical wording.	
14 15 16 17	MS. O'DELL: Object to the form. BY MR. HEGARTY: Q. Dr. Levy's report. A. I cannot I I don't	14 15 16 17	between the two reports? A. Yes. They are identical wording. Q. And none of those sentences	
14 15 16 17 18	MS. O'DELL: Object to the form. BY MR. HEGARTY: Q. Dr. Levy's report. A. I cannot I I don't know. The only what I can say is that	14 15 16 17 18	between the two reports? A. Yes. They are identical wording. Q. And none of those sentences are common knowledge, correct?	
14 15 16 17 18 19	MS. O'DELL: Object to the form. BY MR. HEGARTY: Q. Dr. Levy's report. A. I cannot I I don't know. The only what I can say is that there was likely a publication. But that	14 15 16 17 18 19	between the two reports? A. Yes. They are identical wording. Q. And none of those sentences are common knowledge, correct? MS. O'DELL: Object to the	
14 15 16 17 18 19 20	MS. O'DELL: Object to the form. BY MR. HEGARTY: Q. Dr. Levy's report. A. I cannot I I don't know. The only what I can say is that there was likely a publication. But that is speculation, because I have not looked	14 15 16 17 18 19 20	between the two reports? A. Yes. They are identical wording. Q. And none of those sentences are common knowledge, correct? MS. O'DELL: Object to the form.	
14 15 16 17 18 19 20 21	MS. O'DELL: Object to the form. BY MR. HEGARTY: Q. Dr. Levy's report. A. I cannot I I don't know. The only what I can say is that there was likely a publication. But that is speculation, because I have not looked that over.	14 15 16 17 18 19 20 21	between the two reports? A. Yes. They are identical wording. Q. And none of those sentences are common knowledge, correct? MS. O'DELL: Object to the form. THE WITNESS: It's a	
14 15 16 17 18 19 20 21 22	MS. O'DELL: Object to the form. BY MR. HEGARTY: Q. Dr. Levy's report. A. I cannot I I don't know. The only what I can say is that there was likely a publication. But that is speculation, because I have not looked that over. Q. But is it your testimony	14 15 16 17 18 19 20 21 22	between the two reports? A. Yes. They are identical wording. Q. And none of those sentences are common knowledge, correct? MS. O'DELL: Object to the form. THE WITNESS: It's a statement.	
14 15 16 17 18 19 20 21	MS. O'DELL: Object to the form. BY MR. HEGARTY: Q. Dr. Levy's report. A. I cannot I I don't know. The only what I can say is that there was likely a publication. But that is speculation, because I have not looked that over.	14 15 16 17 18 19 20 21	between the two reports? A. Yes. They are identical wording. Q. And none of those sentences are common knowledge, correct? MS. O'DELL: Object to the form. THE WITNESS: It's a	

	•	Page 90			Page 92
1	knowledge, correct, Doctor?		1	Q. Sure. Is it your testimony	
2	A. But it's a it is there		2	that the words in your report under	
3	are more than 150 different chemicals		3	section under the section Fragrances	
4	added to Johnson's Baby Powder and Shower		4	are your words and your words alone from	
5	to Shower products. I reviewed the		5	no other source?	
6	expert report from Dr. Crowley that		6	MS. O'DELL: Object to the	
7	concludes that some of these chemicals		7	form.	
8	may contribute to the inflammatory		8	THE WITNESS: I don't quite	
9	response, toxicity, and potential		9	understand what you mean by no	
10	carcinogenicity. I concur with his		10	other source.	
11	opinion.		11	These are my words. They	
12	I say the same thing as		12	confer my opinion.	
13	Dr. Smith-Bindman.		13	BY MR. HEGARTY:	
14	Q. Is it your testimony that		14	Q. Well, did you copy those	
15	you and Dr. Smith-Bindman came to the		15	words from some source besides	
16	exact same words just by coincidence?		16	Smith-Bindman's report?	
17	MS. O'DELL: Object to the		17	A. I did not copy words. I	
18	form.		18	I don't know how this happened.	
19	THE WITNESS: We came to the		19	If I was in error, I own	
20	same conclusions.		20	that responsibility.	
21	BY MR. HEGARTY:		21	(Document marked for	
22	Q. That's not my question. My		22	identification as Exhibit	
23	question is, is it your testimony here		23	Zelikoff-15.)	
24	today that you and Dr. Smith-Bindman came		24	BY MR. HEGARTY:	
		D 01			
		Page 91			Page 93
1	to the exact to say the exact same	Page 91	1	Q. I'm going to show you what	Page 93
2	to the exact to say the exact same thing under the section Fragrance simply	Page 91	2	Q. I'm going to show you what I'm next marking as Exhibit 15.	Page 93
		Page 91			Page 93
2	thing under the section Fragrance simply	Page 91	2	I'm next marking as Exhibit 15.	Page 93
2 3	thing under the section Fragrance simply by coincidence?	Page 91	2 3	I'm next marking as Exhibit 15. MS. O'DELL: Is this one	Page 93
2 3 4 5 6	thing under the section Fragrance simply by coincidence? MS. O'DELL: Objection to	Page 91	2 3 4	I'm next marking as Exhibit 15. MS. O'DELL: Is this one exhibit?	Page 93
2 3 4 5	thing under the section Fragrance simply by coincidence? MS. O'DELL: Objection to form.	Page 91	2 3 4 5	I'm next marking as Exhibit 15. MS. O'DELL: Is this one exhibit? MR. HEGARTY: That's one	Page 93
2 3 4 5 6 7 8	thing under the section Fragrance simply by coincidence? MS. O'DELL: Objection to form. THE WITNESS: I don't do anything usually by coincidence. BY MR. HEGARTY:	Page 91	2 3 4 5 6	I'm next marking as Exhibit 15. MS. O'DELL: Is this one exhibit? MR. HEGARTY: That's one exhibit. BY MR. HEGARTY: Q. Doctor, Exhibit Number 15 is	Page 93
2 3 4 5 6 7 8 9	thing under the section Fragrance simply by coincidence? MS. O'DELL: Objection to form. THE WITNESS: I don't do anything usually by coincidence. BY MR. HEGARTY: Q. Okay. Is it your testimony	Page 91	2 3 4 5 6 7 8 9	I'm next marking as Exhibit 15. MS. O'DELL: Is this one exhibit? MR. HEGARTY: That's one exhibit. BY MR. HEGARTY: Q. Doctor, Exhibit Number 15 is again a portion of your report, and also	Page 93
2 3 4 5 6 7 8 9 10	thing under the section Fragrance simply by coincidence? MS. O'DELL: Objection to form. THE WITNESS: I don't do anything usually by coincidence. BY MR. HEGARTY: Q. Okay. Is it your testimony that the words that you wrote under the	Page 91	2 3 4 5 6 7 8 9 10	I'm next marking as Exhibit 15. MS. O'DELL: Is this one exhibit? MR. HEGARTY: That's one exhibit. BY MR. HEGARTY: Q. Doctor, Exhibit Number 15 is again a portion of your report, and also attached to it is a reference from	Page 93
2 3 4 5 6 7 8 9 10	thing under the section Fragrance simply by coincidence? MS. O'DELL: Objection to form. THE WITNESS: I don't do anything usually by coincidence. BY MR. HEGARTY: Q. Okay. Is it your testimony that the words that you wrote under the section Fragrances on Page 12 are your	Page 91	2 3 4 5 6 7 8 9 10 11	I'm next marking as Exhibit 15. MS. O'DELL: Is this one exhibit? MR. HEGARTY: That's one exhibit. BY MR. HEGARTY: Q. Doctor, Exhibit Number 15 is again a portion of your report, and also attached to it is a reference from Genetics Home Reference dated June 27,	Page 93
2 3 4 5 6 7 8 9 10 11 12	thing under the section Fragrance simply by coincidence? MS. O'DELL: Objection to form. THE WITNESS: I don't do anything usually by coincidence. BY MR. HEGARTY: Q. Okay. Is it your testimony that the words that you wrote under the section Fragrances on Page 12 are your words and came from nowhere else?	Page 91	2 3 4 5 6 7 8 9 10 11 12	I'm next marking as Exhibit 15. MS. O'DELL: Is this one exhibit? MR. HEGARTY: That's one exhibit. BY MR. HEGARTY: Q. Doctor, Exhibit Number 15 is again a portion of your report, and also attached to it is a reference from Genetics Home Reference dated June 27, 2017. Do you see both documents?	Page 93
2 3 4 5 6 7 8 9 10 11 12 13	thing under the section Fragrance simply by coincidence? MS. O'DELL: Objection to form. THE WITNESS: I don't do anything usually by coincidence. BY MR. HEGARTY: Q. Okay. Is it your testimony that the words that you wrote under the section Fragrances on Page 12 are your words and came from nowhere else? A. I don't quite understand	Page 91	2 3 4 5 6 7 8 9 10 11 12 13	I'm next marking as Exhibit 15. MS. O'DELL: Is this one exhibit? MR. HEGARTY: That's one exhibit. BY MR. HEGARTY: Q. Doctor, Exhibit Number 15 is again a portion of your report, and also attached to it is a reference from Genetics Home Reference dated June 27, 2017. Do you see both documents? A. I do see both documents.	Page 93
2 3 4 5 6 7 8 9 10 11 12 13 14	thing under the section Fragrance simply by coincidence? MS. O'DELL: Objection to form. THE WITNESS: I don't do anything usually by coincidence. BY MR. HEGARTY: Q. Okay. Is it your testimony that the words that you wrote under the section Fragrances on Page 12 are your words and came from nowhere else? A. I don't quite understand where they could have come from because I	Page 91	2 3 4 5 6 7 8 9 10 11 12 13 14	I'm next marking as Exhibit 15. MS. O'DELL: Is this one exhibit? MR. HEGARTY: That's one exhibit. BY MR. HEGARTY: Q. Doctor, Exhibit Number 15 is again a portion of your report, and also attached to it is a reference from Genetics Home Reference dated June 27, 2017. Do you see both documents? A. I do see both documents. Q. We have highlighted and	Page 93
2 3 4 5 6 7 8 9 10 11 12 13 14 15	thing under the section Fragrance simply by coincidence? MS. O'DELL: Objection to form. THE WITNESS: I don't do anything usually by coincidence. BY MR. HEGARTY: Q. Okay. Is it your testimony that the words that you wrote under the section Fragrances on Page 12 are your words and came from nowhere else? A. I don't quite understand where they could have come from because I did not review her report.	Page 91	2 3 4 5 6 7 8 9 10 11 12 13 14 15	I'm next marking as Exhibit 15. MS. O'DELL: Is this one exhibit? MR. HEGARTY: That's one exhibit. BY MR. HEGARTY: Q. Doctor, Exhibit Number 15 is again a portion of your report, and also attached to it is a reference from Genetics Home Reference dated June 27, 2017. Do you see both documents? A. I do see both documents. Q. We have highlighted and numbered in Exhibit 15 the portions from	Page 93
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	thing under the section Fragrance simply by coincidence? MS. O'DELL: Objection to form. THE WITNESS: I don't do anything usually by coincidence. BY MR. HEGARTY: Q. Okay. Is it your testimony that the words that you wrote under the section Fragrances on Page 12 are your words and came from nowhere else? A. I don't quite understand where they could have come from because I did not review her report. Q. Is it your testimony that	Page 91	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	I'm next marking as Exhibit 15. MS. O'DELL: Is this one exhibit? MR. HEGARTY: That's one exhibit. BY MR. HEGARTY: Q. Doctor, Exhibit Number 15 is again a portion of your report, and also attached to it is a reference from Genetics Home Reference dated June 27, 2017. Do you see both documents? A. I do see both documents. Q. We have highlighted and numbered in Exhibit 15 the portions from your report which are taken word for word	Page 93
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		Page 94			Page 96
1	form.		1	your report in this case?	
2	And and, Doctor, take a		2	A. I may have used it	
3	moment to review both, because the		3	appears that I have used the same words.	
4	way this is put together is a		4	And if I did that, which it	
5	little confusing.		5	appears that I have, then I've done it	
6	THE WITNESS: I see what		6	with the intent to get those same points	
7	you're referring to.		7	across.	
8	BY MR. HEGARTY:		8	Q. But you do agree that you	
9	Q. And did you copy, for		9	have included in your report a sequence	
10	purposes of your report, without citation		10	of words incorporated from another source	
11	to this authority, the words that we've		11	without quotation marks, correct?	
12	identified from this reference to Genetic		12	MS. O'DELL: Objection to	
13	Home Reference?		13	form.	
14	MS. O'DELL: Objection to		14	THE WITNESS: I don't use	
15	the form.		15	I don't usually use quotation	
16	THE WITNESS: So when you		16	marks.	
17	have things like, "Inherited		17	BY MR. HEGARTY:	
18	mutations are passed down from		18	Q. Well, you have used other	
19	parent to child and are present		19	people's words without acknowledging	
20	throughout a person's life in		20	where they came from, correct?	
21	virtually in every cell of the		21	MS. O'DELL: Object to the	
22	body." Biology 101, basically,		22	form.	
23	where that came from.		23	THE WITNESS: I could have	
24	"These mutations are called		24	used quotation marks. And if I	
-					
		Page 95			Page 97
1		Page 95	1	were to do this over I would use	Page 97
1 2	germ line mutations because	Page 95	1	were to do this over, I would use	Page 97
2	germ line mutations because they're present in the parents'	Page 95	2	quotation marks.	Page 97
2 3	germ line mutations because they're present in the parents' egg or sperm, a germ cell."	Page 95	3	quotation marks. BY MR. HEGARTY:	Page 97
2 3 4	germ line mutations because they're present in the parents' egg or sperm, a germ cell." Yes, some of these sentences	Page 95	2 3 4	quotation marks. BY MR. HEGARTY: Q. You're not telling us,	Page 97
2 3 4 5	germ line mutations because they're present in the parents' egg or sperm, a germ cell." Yes, some of these sentences appear to be the same as what is	Page 95	2 3 4 5	quotation marks. BY MR. HEGARTY: Q. You're not telling us, Doctor, that if you prepared an article	Page 97
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2 3 4 5 6 7	germ line mutations because they're present in the parents' egg or sperm, a germ cell." Yes, some of these sentences appear to be the same as what is in here. However, again, I stand on	Page 95	2 3 4 5 6 7	quotation marks. BY MR. HEGARTY: Q. You're not telling us, Doctor, that if you prepared an article for publication in a journal, that you would take references from another source	Page 97
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	Page 98			Page 100
1	BY MR. HEGARTY:	1	will not this is the what	1 age 100
2	Q. You would have cited to the	2	you gave me was an interpretation,	
3	authority, as well, from which that	3	was NYU policy, an interpretation	
4	those passages were lifted, correct?	4	of that, which is not the same as	
5	MS. O'DELL: Objection to	5	mine.	
6	form.	6	BY MR. HEGARTY:	
7	THE WITNESS: I certainly	7	Q. Well, you do agree, though,	
8	could if that was a concern from	8	that between the your report, the	
9	the journal or from the reviewer,	9	portions taken from your report and the	
10	then I would definitely put in the	10	Genetic Home Reference reference are	
11	reference.	11	identical?	
12	BY MR. HEGARTY:	12	MS. O'DELL: Object to the	
13	Q. If a student had prepared	13	form.	
14	this, and you became aware that the	14	THE WITNESS: I agree that	
15	student had lifted portions from Genetic	15	there are sentences that are	
16	Home Reference without any citation,	16	identical. Yes.	
17	without acknowledging where it came from,	17	BY MR. HEGARTY:	
18	would that be okay with you?	18	Q. You did not acknowledge that	
19	MS. O'DELL: Objection to	19	source anywhere in your report, correct?	
20	form.	20	A. If you say so.	
21	THE WITNESS: There are	21	Q. Do you think that's okay to	
22	this is a large document. And in	22	do that?	
23	order for something to be copied	23	MS. O'DELL: Objection to	
24	or, as you put it, plagiarized,	24	form.	
	Page 99			Page 101
1	Page 99 there has to be a certain amount	1	THE WITNESS: If I had not	Page 101
1 2		1 2	THE WITNESS: If I had not thought it was okay, I would not	Page 101
	there has to be a certain amount			Page 101
2 3 4	there has to be a certain amount or percentage of the document that has to be the same. And this document, my	2	thought it was okay, I would not	Page 101
2 3 4 5	there has to be a certain amount or percentage of the document that has to be the same. And this document, my report, is quite large. So if a	2 3	thought it was okay, I would not have done it. BY MR. HEGARTY: Q. Would that would that be	Page 101
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		Page 102		Page 104
1	I'm sorry.		increased release of ROS."	
2	MS. O'DELL: Thank you. And		That is a very common	
3	just give me a moment to object.		commonly known point.	
4	Thank you.		BY MR. HEGARTY:	
5	BY MR. HEGARTY:		Q. How about Point Number 4	<mark>4 in</mark>
6	Q. Did you hear my question?		the abstract?	
7	A. Could you repeat your		7 A. As	
8	question, please?		Q. That's is it your	
9	Q. Sure. If you were to		testimony that Point Number 4 in the	
10	publish a report as it is, would you go		0 abstract is what you consider commo	<mark>on</mark>
11	back and use quotation marks and cite the		l knowledge?	
12	reference that we just looked at in		A. "Activation of the	
13	Exhibit Number 16?		transcription factors can lead to the	
14	A. Now that you've pointed out		4 expression of over 500 genes, include	
15	your interpretation of it, I would		5 more for growth factors." And I'm g	going
16	certainly consider that.		to read the entire abstract.	
17	(Document marked for		Actually this is a review	:a
18 19	identification as Exhibit Zelikoff-16.)		paper. And this is not a unique find to this particular author.	ing
20	BY MR. HEGARTY:		O And thus "Activation of	
21	Q. Let me show you what I'm		1 transcription factors," again as I read	1
22	next marking as Exhibit Number 16.		is an outcome of many, many author	
23	MS. O'DELL: I'll reach		as I said, is a review paper, not a	5. Tillu
24	over, instead of you throwing it.		4 unique investigator-initiated outcom	e.
	()			
		Page 103		Page 105
1	BY MR. HEGARTY:	Page 103	Q. You keep referring to com	
2	Q. This is another portion of	Page 103	2 knowledge. Who is who has this	mon
2 3	Q. This is another portion of your report which we've correspondingly	Page 103	knowledge. Who is who has this knowledge?	mon common
2 3 4	Q. This is another portion of your report which we've correspondingly referenced to an article by Simone	Page 103	 knowledge. Who is who has this knowledge? A. People who read scientific 	mon common
2 3 4 5	Q. This is another portion of your report which we've correspondingly referenced to an article by Simone Reuter. And you can see where we've	Page 103	 knowledge. Who is who has this knowledge? A. People who read scientific journals. 	mon common
2 3 4 5 6	Q. This is another portion of your report which we've correspondingly referenced to an article by Simone Reuter. And you can see where we've identified six different times where	Page 103	 knowledge. Who is who has this knowledge? A. People who read scientific journals. Q. So is it your testimony that 	mon common
2 3 4 5 6 7	Q. This is another portion of your report which we've correspondingly referenced to an article by Simone Reuter. And you can see where we've identified six different times where sentences have been copied verbatim from	Page 103	 knowledge. Who is who has this knowledge? A. People who read scientific journals. Q. So is it your testimony that someone who would read your report 	mon common t would
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2 3 4 5 6 7 8 9	Q. This is another portion of your report which we've correspondingly referenced to an article by Simone Reuter. And you can see where we've identified six different times where sentences have been copied verbatim from this article without any quotation or any acknowledgment of its of the source.	Page 103	knowledge. Who is who has this knowledge? A. People who read scientific journals. Q. So is it your testimony that someone who would read your report understand that that is not those and not your words but taken from	mon common t would
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. This is another portion of your report which we've correspondingly referenced to an article by Simone Reuter. And you can see where we've identified six different times where sentences have been copied verbatim from this article without any quotation or any acknowledgment of its of the source. Do you see that? MS. O'DELL: Object excuse me. Object to the form. Feel free to review it, the reference or the exhibit. There are two things paper clipped together, if you need to look at it in more detail. THE WITNESS: Again, there are sentences such as, "During inflammation macrophages, mast		knowledge. Who is who has this knowledge? A. People who read scientific journals. Q. So is it your testimony that someone who would read your report understand that that is not those at not your words but taken from somewhere somewhere else? MS. O'DELL: Object to the form. THE WITNESS: It would depend upon who is reading it. BY MR. HEGARTY: Q. Can you cite for me any publication that you have ever writted where you have cited another author word for word and did not use quota marks and did not reference that authority? A. Not off the top of my head	mon common t would re : :tiy tion
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. This is another portion of your report which we've correspondingly referenced to an article by Simone Reuter. And you can see where we've identified six different times where sentences have been copied verbatim from this article without any quotation or any acknowledgment of its of the source. Do you see that? MS. O'DELL: Object excuse me. Object to the form. Feel free to review it, the reference or the exhibit. There are two things paper clipped together, if you need to look at it in more detail. THE WITNESS: Again, there are sentences such as, "During inflammation macrophages, mast cells, and neutrophils were recruited at the site of damage, leads to a respiratory burst and		knowledge. Who is who has this knowledge? A. People who read scientific journals. Q. So is it your testimony that someone who would read your report understand that that is not those at not your words but taken from somewhere somewhere else? MS. O'DELL: Object to the form. THE WITNESS: It would depend upon who is reading it. BY MR. HEGARTY: Q. Can you cite for me any publication that you have ever writted where you have cited another author word for word and did not use quota marks and did not reference that authority? A. Not off the top of my head Q. But you did do that in your	mon common t would re : :tiy tion
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		Page 106	Pa	ge 108
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MS. O'DELL: Object to the form. THE WITNESS: It appears from what you're showing me, that in my interpretation of common knowledge and multiple multiple investigators, I have done that, yes. (Document marked for identification as Exhibit Zelikoff-17.) BY MR. HEGARTY: Q. I'm going to mark next Exhibit Number 17, another portion of your report where you, again, take sentences from a publication called EnvironmentalChemistry.com. You cite them word for word in your report and you make no reference anywhere in your report to this authority. A. I said MS. O'DELL: Excuse me.		MS. O'DELL: Object to the form. THE WITNESS: Yes, I see what you're saying. BY MR. HEGARTY: Q. And nowhere in your report do you give acknowledgment to EnvironmentalChemistry.com as a source of the information that you copied, correct? MS. O'DELL: Object to the form. THE WITNESS: I do say the U.S. EPA defines asbestos by limiting the term to six specific fibrous minerals from two distinct groups. And I go on from there. That is a referral to the U.S. EPA. BY MR. HEGARTY: Q. Doctor, nowhere in your report, in those notebooks or anywhere do you cite to EnvironmentalChemistry.com, do you?	
24	Excuse Me, Doctor. Excuse me.	Page 107	MS. O'DELL: Object. Object Pa	ge 109
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR. HEGARTY: I'm not finished with my question. MS. O'DELL: I thought you were finished with your question. MR. HEGARTY: Because I just made a statement. MS. O'DELL: Well, I object to the statement. You ask your question, and I'll probably object to that. But give me a chance, the two of you, please. BY MR. HEGARTY: Q. Let me Doctor, this the reference that we have here in the Exhibit Number 17 is to a website called EnvironmentalChemistry.com. Did you review this website in preparing your report? A. I don't recall.		1 to the form. 2 THE WITNESS: Not to my 3 knowledge. 4 EnvironmentalChemistry.com, I 5 don't even recall reviewing it. 6 BY MR. HEGARTY: 7 Q. But don't you agree that you 8 would have had to review it based on the 9 fact that there are identical sentences 10 taken from that are identical 11 sentences, in Environmental Chemistry and 12 in your report? 13 MS. O'DELL: Object to the 14 form. 15 THE WITNESS: This again, 16 this information is common 17 knowledge. This is not a creation 18 of EnvironmentalChemistry.com. 19 They are not an individual	

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		Page 110			Page 112
1	EnvironmentalChemistry.com a reliable		1	published methodology which says that	1
2	authority?		2	your interpretation of what you are to	
3	MS. O'DELL: Object to the		3	quote and what you are to cite in an	
4	form.		4	article is an accepted methodology in	- 1
5	THE WITNESS: I have no		5	publishing scientific literature?	
6	idea sorry.		6	A. It's my professional opinion	
7	MS. O'DELL: Go ahead.		7	after 30 years of work.	- 1
8	THE WITNESS: I have no idea		8	Q. Well, can you cite for me	
9					- 1
	of the impact factor or the		9	any published authority that says your	- 1
10	reliability of this. However, in		10	definition of what you are to cite and	- 1
11	talking about this, and saying the		11	what you are to reference is the	
12	things that I that you have		12	definition that's applicable to medical	
13	said I have used identically,		13	literature?	
14	which appear to be the case		14	MS. O'DELL: Objection to	
15	"while amphibole and serpentine		15	form.	
16	asbestos may have fibrous habits,		16	THE WITNESS: I have never	
17	they have very different forms.		17	been accused or cited by any	
18	Amphibole are double-chain		18	publication in any of my 135	
19	silicates."		19	papers or my over 30 book chapters	- 1
20	This is known in the		20	of having anything that was of a	- 1
21	asbestos in the asbestos		21	dubious nature, ever.	
22	literature. And the basic		22	BY MR. HEGARTY:	
23	structural unit is silicone oxide.		23	Q. That's not my question. My	
24	This is not Environmental		24	question was can you cite for me any	- 1
		Page 111			Page 113
1	Chemistry's individual		1	written authority that says that in	- 1
2	investigator initiated.		2	publishing medical literature, if you're	
3	I think you may be confusing		3	citing what you call general knowledge	
4	an individual paper where an		4	word for word from another source, you	- 1
5	investigator sits down in the		5	don't have to quote it and you do not	- 1
6	laboratory and works out or comes		6	have to give it any reference.	
7	up with a fact and that it's his.		7	A. Just my professional opinion	- 1
8	As opposed to data that's just out		8	of 30 years of work.	
9	there in the internet, out there		9	Q. Okay. And in a and	- 1
10	in the world, out there in book		10	you've never done that in any medical	- 1
					- 1
11	chapters, out there everywhere,		11	article you any article you have	
12	that people know.		12	published, correct?	
13	This is not an investigator		13	A. I cannot I cannot speak	
14	initiated, whether it's		14	to all.	
15	EnvironmentalChemistry.com.		15	Q. Well, if you were to write a	
16	So I will I will say to		16	medical article a scientific article	
17	you that in many cases, I did use		17	today, and you were to quote something	
18	the same sentence. Certainly		18	from take something word for word from	
19	EnvironmentalChemistry.com is not		19	EnvironmentalChemistry.com, is it your	
20	an investigator-initiated point of		20	testimony you wouldn't give any reference	
21	reference. It's just facts that		21	to it or wouldn't use quotation marks?	
22	are supported by other experts.		22	MS. O'DELL: Object to the	
23	BY MR. HEGARTY:		23	form.	
24	Q. Can you cite for me any		24	THE WITNESS: I I stand	- 1

	n.	114			D 116
4 5 9 6 a 7 F 8 y 9 tt 10 ct 11 tt 12 13 14 15 16 17 18 19 F 20 21 et 22 ft 23 s	on the opinion that I have, that it would be common knowledge. BY MR. HEGARTY: Q. That's not my question. My question is if you were to write an article today and you were to cite Environmental.com word for word, is it your testimony you would not quote that those words or give any reference or acknowledgment to environmental o A. EnvironmentalChemistry.com. Q. EnvironmentalChemistry.com? MS. O'DELL: Object to the form. THE WITNESS: I would do the same thing I've done for this report. BY MR. HEGARTY: Q. Okay. And is that true for every resource that we've looked at so far? You would if you were to write a cientific journal today, you would and quoted from all those resources, you		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	that you have copied verbatim from that publication without giving any acknowledgment to Dr. Rakoff-Nahoum or use any quotation marks. Do you see that? MS. O'DELL: Object to the form. THE WITNESS: So on Page 124 of the review by Seth Rakoff-Nahoum Nahoum, if you look on under cancer and inflammation, and one of the points that you make here and by the way, this is a review paper, again not an independent investigator-initiated data from the laboratory "Epidemiological evidence points to a connection between inflammation and" "and predisposition for the development of cancer, i.e., long-term inflammation leads to the development of dysplasia," there's no reference there.	Page 116
2 v 3 a 4 a 5 6 7 8 9 10 11 12 13 14 15 16 E 17 18 I 19 20 y 21 e 22 r 23 F	vould not use quotation marks and you would not give any acknowledgment in any if you were to write a scientific article today? MS. O'DELL: Object to form. Misstates her testimony. THE WITNESS: I I did say that there are certain cases that if I had to do it over and based upon your rigorous opinion of this, that I would place quotation marks or add a reference, yes. (Document marked for identification as Exhibit Zelikoff-18.) BY MR. HEGARTY: Q. I'm going to show you what I'm next marking as Exhibit 18. This is another portion of your report. In addition to that exhibit or with that exhibit is a deference to a publication by Rakoff-Nahoum, where you again made deferences to four different sentences		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	So this author also, Dr. Rakoff-Nahoum sorry, I'm murdering his name also gives no reference to that. Again, in this case, using my analogy of something that has been gathered by numerous other investigators and is common knowledge to the to the scientific population, he did also not use a reference. And I did not use a reference. BY MR. HEGARTY: Q. But if but if you look at his the last reference, Number 4, he does acknowledge a resource for all of those statements, Resource 20 in the publication, correct? MS. O'DELL: Objection. Could you provide, if you're going to use this exhibit, provide the full manuscript that identifies Resource 20. (Document marked for	Page 117

	1	Page 118			Page 120
1	identification as Exhibit		1	publication by OSHA for purposes of your	_
2	Zelikoff-20.)		2	report. Do you see that?	
2 3 4	BY MR. HEGARTY:		3	MS. O'DELL: Objection to	
4	Q. I'll mark as 20, the		4	form.	
5	entirety of the Rakoff-Nahoum article,		5	THE WITNESS: I do see what	
6	which does include 20, which is a		6	you're pointing to. I also will	
7	reference to Hussain, "Radical Causes of		7	tell you that Point 1 that you	
8	Cancer."		8	point out in the OSHA United	
9	A. Citation 20 in Exhibit 20 is		9	States Department of Labor, on	
10	also a review paper, and none of these		10	hexavalent chromium, which is off	
11	references are going back to the		11	the internet, adverse health	
12	independent investigator who actually		12	effects associated, yes, I used	
13	said this.		13	adverse health health effects	
14	So these are reviewed in.		14	other than cancer, and then I had	
15	Again, standing by my opinion that		15	these different words.	
16	oftentimes in review articles which		16	I'm just explaining what I	
17	in in review articles, they often take		17	see.	
18	the liberty, as seen in your first point,		18	With chromium-6, hexavalent	
19	that you do not use a reference.		19	chromium exposure include	
20	Now, I would have to read		20	occupational asthma, eye	
21	Reference 20 in order to see whether		21	irritation and damage, perforated	
22	that, in fact, reviews Points 2, 3 and 4		22	ear drums, et cetera, et cetera.	
23	in your "Why Cancer and Inflammation"		23	This can be found in numerous,	
24	paper.		24	numerous references. This again	
	1	Page 119			Page 121
		Page 119			Page 121
1	I do not know that	Page 119	1	is common knowledge for anyone	Page 121
	I do not know that Reference 20 actually reviews all of	Page 119	2	doing chromium chromium	Page 121
	I do not know that Reference 20 actually reviews all of these points and are the reference.	Page 119	2 3	doing chromium chromium studies.	Page 121
2 3 4	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these	Page 119	2 3 4	doing chromium chromium studies. Again, did I use the same	Page 121
2 3 4 5	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review	Page 119	2 3 4 5	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here.	Page 121
2 3 4 5 6	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper.	Page 119	2 3 4	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an	Page 121
2 3 4 5 6 7	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the	Page 119	2 3 4 5 6 7	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called	Page 121
2 3 4 5 6 7 8	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the chronic inflammatory states associated	Page 119	2 3 4 5 6 7 8	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called allergic contact dermatitis." I'm	Page 121
2 3 4 5 6 7 8 9	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the chronic inflammatory states associated with infection, irritation, may lead to	Page 119	2 3 4 5 6 7 8 9	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called allergic contact dermatitis." I'm not quite sure how else you can	Page 121
2 3 4 5 6 7 8 9	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the chronic inflammatory states associated with infection, irritation, may lead to environments that foster genomic lesions	Page 119	2 3 4 5 6 7 8 9	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called allergic contact dermatitis." I'm not quite sure how else you can say that, that phrase.	Page 121
2 3 4 5 6 7 8 9 10 11	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the chronic inflammatory states associated with infection, irritation, may lead to environments that foster genomic lesions in tumor initiation, no reference there.	Page 119	2 3 4 5 6 7 8 9	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called allergic contact dermatitis." I'm not quite sure how else you can say that, that phrase. So I still feel confident in	Page 121
2 3 4 5 6 7 8 9 10 11 12	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the chronic inflammatory states associated with infection, irritation, may lead to environments that foster genomic lesions in tumor initiation, no reference there. One effect and mechanism, et	Page 119	2 3 4 5 6 7 8 9 10 11 12	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called allergic contact dermatitis." I'm not quite sure how else you can say that, that phrase. So I still feel confident in what I did was based upon my	Page 121
2 3 4 5 6 7 8 9 10 11 12 13	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the chronic inflammatory states associated with infection, irritation, may lead to environments that foster genomic lesions in tumor initiation, no reference there. One effect and mechanism, et cetera, et cetera. Hydroxyl radicals,	Page 119	2 3 4 5 6 7 8 9 10 11 12 13	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called allergic contact dermatitis." I'm not quite sure how else you can say that, that phrase. So I still feel confident in what I did was based upon my professional judgment.	Page 121
2 3 4 5 6 7 8 9 10 11 12 13 14	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the chronic inflammatory states associated with infection, irritation, may lead to environments that foster genomic lesions in tumor initiation, no reference there. One effect and mechanism, et cetera, et cetera. Hydroxyl radicals, reactive oxygen species, no reference	Page 119	2 3 4 5 6 7 8 9 10 11 12 13	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called allergic contact dermatitis." I'm not quite sure how else you can say that, that phrase. So I still feel confident in what I did was based upon my professional judgment. (Document marked for	Page 121
2 3 4 5 6 7 8 9 10 11 12 13 14 15	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the chronic inflammatory states associated with infection, irritation, may lead to environments that foster genomic lesions in tumor initiation, no reference there. One effect and mechanism, et cetera, et cetera. Hydroxyl radicals, reactive oxygen species, no reference there. No quotation marks.	Page 119	2 3 4 5 6 7 8 9 10 11 12 13 14 15	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called allergic contact dermatitis." I'm not quite sure how else you can say that, that phrase. So I still feel confident in what I did was based upon my professional judgment. (Document marked for identification as Exhibit	Page 121
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the chronic inflammatory states associated with infection, irritation, may lead to environments that foster genomic lesions in tumor initiation, no reference there. One effect and mechanism, et cetera, et cetera. Hydroxyl radicals, reactive oxygen species, no reference there. No quotation marks.	Page 119	2 3 4 5 6 7 8 9 10 11 12 13 14 15	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called allergic contact dermatitis." I'm not quite sure how else you can say that, that phrase. So I still feel confident in what I did was based upon my professional judgment. (Document marked for identification as Exhibit Zelikoff-21.) BY MR. HEGARTY:	Page 121
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the chronic inflammatory states associated with infection, irritation, may lead to environments that foster genomic lesions in tumor initiation, no reference there. One effect and mechanism, et cetera, et cetera. Hydroxyl radicals, reactive oxygen species, no reference there. No quotation marks. So I don't know whether he, in fact, uses the same logic that I did. (Document marked for	Page 119	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called allergic contact dermatitis." I'm not quite sure how else you can say that, that phrase. So I still feel confident in what I did was based upon my professional judgment. (Document marked for identification as Exhibit Zelikoff-21.) BY MR. HEGARTY:	Page 121
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the chronic inflammatory states associated with infection, irritation, may lead to environments that foster genomic lesions in tumor initiation, no reference there. One effect and mechanism, et cetera, et cetera. Hydroxyl radicals, reactive oxygen species, no reference there. No quotation marks. So I don't know whether he, in fact, uses the same logic that I did.	Page 119	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called allergic contact dermatitis." I'm not quite sure how else you can say that, that phrase. So I still feel confident in what I did was based upon my professional judgment. (Document marked for identification as Exhibit Zelikoff-21.) BY MR. HEGARTY: Q. Okay. I'll show you what I next marked as Exhibit 21. Exhibit 21 is	Page 121
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the chronic inflammatory states associated with infection, irritation, may lead to environments that foster genomic lesions in tumor initiation, no reference there. One effect and mechanism, et cetera, et cetera. Hydroxyl radicals, reactive oxygen species, no reference there. No quotation marks. So I don't know whether he, in fact, uses the same logic that I did. (Document marked for identification as Exhibit	Page 119	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called allergic contact dermatitis." I'm not quite sure how else you can say that, that phrase. So I still feel confident in what I did was based upon my professional judgment. (Document marked for identification as Exhibit Zelikoff-21.) BY MR. HEGARTY: Q. Okay. I'll show you what I	Page 121
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	I do not know that Reference 20 actually reviews all of these points and are the reference. Also, many of these points and again, another review paper. Many of these points, the chronic inflammatory states associated with infection, irritation, may lead to environments that foster genomic lesions in tumor initiation, no reference there. One effect and mechanism, et cetera, et cetera. Hydroxyl radicals, reactive oxygen species, no reference there. No quotation marks. So I don't know whether he, in fact, uses the same logic that I did. (Document marked for identification as Exhibit Zelikoff-19.) BY MR. HEGARTY: Q. I'm going to show you	Page 119	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	doing chromium chromium studies. Again, did I use the same words? In many cases, I did here. "Can also develop an allergic skin reaction called allergic contact dermatitis." I'm not quite sure how else you can say that, that phrase. So I still feel confident in what I did was based upon my professional judgment. (Document marked for identification as Exhibit Zelikoff-21.) BY MR. HEGARTY: Q. Okay. I'll show you what I next marked as Exhibit 21. Exhibit 21 is again a portion of your report where we have identified statements that are taken verbatim without acknowledgment from the	Page 121

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		Page 122			Page 124
1	MC O'DELL. Did was finish	1 age 122	1	mialso are primarily related to	1 age 124
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	MS. O'DELL: Did you finish your question?		1 2	risks are primarily related to exposure to soluble nickel	
3	BY MR. HEGARTY:		3	concentrations," et cetera, et	
4	Q. No. Do you see where I'm		4	cetera.	
5	talk do you see where I'm referencing?		5	But in many cases throughout	
6	MS. O'DELL: Object to form.		6	this reference, I can also it	
7	THE WITNESS: I		7	being a review paper, I can also	
8	MS. O'DELL: Take a moment		8	tell you there's epidemiological	
9	if you need to, Doctor.		9	evidence on possible cancer risk	
10	THE WITNESS: So what I see		10	from general environment and	
11	in the abstract of a paper, a		11	dietary nickel exposures not cited	
12	review paper called Nickel		12	as a reference, not quoted.	
13	Carcinogenesis by Kasprzak and		13	BY MR. HEGARTY:	
14	Sunderman and Konstantine		14	Q. Are you finished?	
15	Salnikow, you say you're		15	A. I am, thank you.	
16	pointing to, "The exact mechanisms		16	THE WITNESS: Excuse me.	
17	of nickel-induced carcinogenesis		17	May I just point out that it's	
18	are not known and have been		18	getting even colder in here and	
19	subject of numerous		19	I'm a bit uncomfortable.	
20	epidemiological and experimental		20	(Whereupon, a discussion was	
21	investigations."		21	held off the record.)	
22	That is not that okay.		22	THE WITNESS: May I go get	
23	And what's in my paper is, "The		23	my scarf?	
24	exact mechanisms of nickel-induced		24	MR. HEGARTY: Off the	
		D 100			D 105
		Page 123			Page 125
1	cainogenesis are not known but	Page 123	1	record.	Page 125
2	likely involve genetic and	Page 123	2	THE VIDEOGRAPHER: The time	Page 125
2 3	likely involve genetic and epigenetic routes."	Page 123	2 3	THE VIDEOGRAPHER: The time is 11:11 a.m. Off the record.	Page 125
2 3 4	likely involve genetic and epigenetic routes." That's not the same as this	Page 123	2 3 4	THE VIDEOGRAPHER: The time is 11:11 a.m. Off the record. (Short break.)	Page 125
2 3 4 5	likely involve genetic and epigenetic routes." That's not the same as this sentence. It has portions of the	Page 123	2 3 4 5	THE VIDEOGRAPHER: The time is 11:11 a.m. Off the record. (Short break.) THE VIDEOGRAPHER: The time	Page 125
2 3 4 5 6	likely involve genetic and epigenetic routes." That's not the same as this sentence. It has portions of the same, but not the entire sentence	Page 123	2 3 4 5 6	THE VIDEOGRAPHER: The time is 11:11 a.m. Off the record. (Short break.) THE VIDEOGRAPHER: The time is 11:23 a.m. Back on record.	Page 125
2 3 4 5 6 7	likely involve genetic and epigenetic routes." That's not the same as this sentence. It has portions of the same, but not the entire sentence is the same.	Page 123	2 3 4 5 6 7	THE VIDEOGRAPHER: The time is 11:11 a.m. Off the record. (Short break.) THE VIDEOGRAPHER: The time is 11:23 a.m. Back on record. (Documents marked for	Page 125
2 3 4 5 6 7 8	likely involve genetic and epigenetic routes." That's not the same as this sentence. It has portions of the same, but not the entire sentence is the same. "Are likely to evolve	Page 123	2 3 4 5 6 7 8	THE VIDEOGRAPHER: The time is 11:11 a.m. Off the record. (Short break.) THE VIDEOGRAPHER: The time is 11:23 a.m. Back on record. (Documents marked for identification as Exhibits	Page 125
2 3 4 5 6 7 8 9	likely involve genetic and epigenetic routes." That's not the same as this sentence. It has portions of the same, but not the entire sentence is the same. "Are likely to evolve genetic and epigenetic routes."	Page 123	2 3 4 5 6 7 8 9	THE VIDEOGRAPHER: The time is 11:11 a.m. Off the record. (Short break.) THE VIDEOGRAPHER: The time is 11:23 a.m. Back on record. (Documents marked for identification as Exhibits Zelikoff-25 through 32.)	Page 125
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	Page 12			Page 128
1	come back to it. So we did get		A. That was my that was	1 age 120
$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	kind of out of order in the way I	$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	A. That was my that was the request was to assess biological	
3	marked those.	3	plausibility.	
4	MS. O'DELL: So plaintiff	4	Q. You say in that portion that	
5	objects to the Exhibit 25 through	5	we just reviewed that you say for the	
6	32 being added to the record.	6	increased risk of ovarian cancer with	
7	There's no testimony from	7	talc use. Did you assume for purposes of	
8	Dr. Zelikoff. So any assertion	8	your report that there is, in fact, an	
9	that counsel has made that those	9	increased risk of ovarian cancer with	
10	are relevant, we would object	10	talc use?	
11	and and oppose their being	11	A. I'm sorry, sir, can you tell	
12	included.	12	me exactly which paragraph?	
13	BY MR. HEGARTY:	13	Q. In the first paragraph under	
14	Q. Doctor, if you would look at	14	the section Mandate and Methodology, you	
15	your report which is Exhibit Number 2.	15	say "assess whether there is biologic	
16	A. Yes, sir.	16	plausibility" "biologically plausible	
17	Q. On Page 2 of your report,	17	explanation for the increased risk of	
18	under the section Mandate and	18	ovarian cancer with the perineal use of	
19	Methodology?	19	talcum powder products."	
20	A. Yes, sir, I see it.	20	Do you see that? See where	
21	Q. You say your mandate was to	21	I'm reading?	
22	look at the scientific literature and	22	A. I am sorry, sir, I do not.	
23	assess whether there is biologic	23	Q. First paragraph under	
24	plausibility for talc to cause ovarian	24	page on Page 2 under mandate and	
	Page 12	,		Page 129
1	Page 12 cancer from perineal use; is that	1	methodology.	Page 129
2			A. Is that the notion of	Page 129
	cancer from perineal use; is that	1		Page 129
2 3 4	cancer from perineal use; is that correct? MR. GOLOMB: I'm sorry. What page are you on?	1 2 3 4	A. Is that the notion of biological plausibility paragraph, or are you	Page 129
2 3	cancer from perineal use; is that correct? MR. GOLOMB: I'm sorry. What page are you on? MR. HEGARTY: Page 2.	1 2 3	A. Is that the notion of biological plausibility paragraph, or are you Q. It's the first paragraph	Page 129
2 3 4 5 6	cancer from perineal use; is that correct? MR. GOLOMB: I'm sorry. What page are you on? MR. HEGARTY: Page 2. THE WITNESS: Are you done?	1 2 3 4 5 6	A. Is that the notion of biological plausibility paragraph, or are you Q. It's the first paragraph under the section Mandate and	Page 129
2 3 4 5 6 7	cancer from perineal use; is that correct? MR. GOLOMB: I'm sorry. What page are you on? MR. HEGARTY: Page 2. THE WITNESS: Are you done? BY MR. HEGARTY:	1 2 3 4 5 6 7	A. Is that the notion of biological plausibility paragraph, or are you Q. It's the first paragraph under the section Mandate and Methodology.	Page 129
2 3 4 5 6 7 8	cancer from perineal use; is that correct? MR. GOLOMB: I'm sorry. What page are you on? MR. HEGARTY: Page 2. THE WITNESS: Are you done? BY MR. HEGARTY: Q. Yes.	1 2 3 4 5 6 7 8	A. Is that the notion of biological plausibility paragraph, or are you Q. It's the first paragraph under the section Mandate and Methodology. A. Well, sir, there are two,	Page 129
2 3 4 5 6 7 8 9	cancer from perineal use; is that correct? MR. GOLOMB: I'm sorry. What page are you on? MR. HEGARTY: Page 2. THE WITNESS: Are you done? BY MR. HEGARTY: Q. Yes. A. My mandate was to review the	1 2 3 4 5 6 7 8 9	A. Is that the notion of biological plausibility paragraph, or are you Q. It's the first paragraph under the section Mandate and Methodology. A. Well, sir, there are two, two paragraphs. One says mandate. I was	Page 129
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	cancer from perineal use; is that correct? MR. GOLOMB: I'm sorry. What page are you on? MR. HEGARTY: Page 2. THE WITNESS: Are you done? BY MR. HEGARTY: Q. Yes. A. My mandate was to review the scientific literature and assess whether there was biological plausible explanation for the increased risk of ovarian cancer with perineal use of talcum powder products, yes, that is correct. Q. Who gave you that mandate? A. That was the plaintiff attorney, Ms. Emory [sic] and Ms. O'Dell. Q. You say A. They I but let me add they when you say gave me that	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Is that the notion of biological plausibility paragraph, or are you Q. It's the first paragraph under the section Mandate and Methodology. A. Well, sir, there are two, two paragraphs. One says mandate. I was asked to review the scientific literature. Then there is another paragraph that says the notion of biological plausibility is multifactorial. Q. Doctor, if you'd listen to my question. I said the first paragraph under mandate and methodology. Do you understand that? A. I do not I do not see it and you can Q. You don't see the first	Page 129

	Page	30		Page 132
1	Q. And and you understand		Q. What graduate students	
2	that's the first paragraph of under	2	-	
3	the section Mandate and Methodology?	3		
4	A. Under mandate it says, "I	4	, ,	
5	was asked to review the scientific	5		
6	literature and assess whether there is	ϵ	A. Nick Lawrence who was a	
7	biological plausible explanation for the	7	master student. And Catherine Fecchi who	
8	increased risk of ovarian cancer and the	8	was my master student. Both of them have	
9	perineal use of talcum powder products."	9	which graduated.	
10	Q. And for purposes of your	10	· • • • • • • • • • • • • • • • • • • •	
11	mandate, did you assume that there was,	11		
12	in fact, an increased risk of ovarian	12	A. I paid them out of my	
13	cancer with the perineal use of talcum	13	*	
14	powder?	14		
15	A. I made no assumptions.	15	*	
16	Q. Did you individually assess	16	· •	
17	whether there is an increased risk of	17		
18	ovarian cancer with the perineal use of	18		
19	talcum powder products?	19	j j	
20	A. Could you please slow down?	20	J	
21	You are asking the question very quickly.	21		
22	Q. Okay. Did you	22	, ,	
23	individually did you do an analysis of	23	*	
24	whether there's an increased risk of	24	review.	
	Page	31		Page 133
1	Page ovarian cancer with perineal use of	31	A. No, sir.	Page 133
2	ovarian cancer with perineal use of talcum powder products?	1 2	Q. So doing the searches was	Page 133
	ovarian cancer with perineal use of talcum powder products? A. No. As you can see by the	1	Q. So doing the searches was part of your methodology for preparing	Page 133
2 3 4	ovarian cancer with perineal use of talcum powder products? A. No. As you can see by the mandate I was asked to assess the	1 2 3 4	Q. So doing the searches was part of your methodology for preparing your report, correct?	Page 133
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2 3 4 5 6	ovarian cancer with perineal use of talcum powder products? A. No. As you can see by the mandate I was asked to assess the biological plausibility. I did no analysis of causation.	1 2 3 4 5	Q. So doing the searches was part of your methodology for preparing your report, correct? A. Doing the searches were my initial, my initial, yes.	Page 133
2 3 4 5 6 7	ovarian cancer with perineal use of talcum powder products? A. No. As you can see by the mandate I was asked to assess the biological plausibility. I did no analysis of causation. Q. You did no analysis of	1 2 3 4 5 6	Q. So doing the searches was part of your methodology for preparing your report, correct? A. Doing the searches were my initial, my initial, yes. Q. Did you prepare in advance a	Page 133
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2 3 4 5 6 7 8 9	ovarian cancer with perineal use of talcum powder products? A. No. As you can see by the mandate I was asked to assess the biological plausibility. I did no analysis of causation. Q. You did no analysis of whether there is, in fact, an increased risk of ovarian cancer with the perineal	1 2 3 4 5 6 7 8	Q. So doing the searches was part of your methodology for preparing your report, correct? A. Doing the searches were my initial, my initial, yes. Q. Did you prepare in advance a written protocol on how you were going to do the searches?	Page 133
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2 3	literature that touch on talc and its	Page 134			Page 136
2 3	merature mat touch on tale and its		1	reviewed all of the literature out	
3	biologic effects, correct?		2	there. I have no way of knowing	
	MS. O'DELL: Object to the		3	that I reviewed or have not.	
4	form.		4	I gathered the literature in	
5	THE WITNESS: My purpose was		5	a systematic fashion and I	
6	to examine the literature, assess		6	reviewed that literature.	
7	the literature, first identify the		7	BY MR. HEGARTY:	
8	literature that I felt was		8	Q. Did you read every paper	
9	well, all all the literature		9	that you found from your literature	
10	that I could find or that the		10	search?	
11	students could find, and from me		11	A. Only those that were	
12	to review them in terms of		12	relevant. I read the abstracts to	
13	relevancy and pertinence to the		13	determine whether it was in fact related	
14	question that I was being asked.		14	to the question that I was being asked.	
	BY MR. HEGARTY:		15	When you do a literature	
16	Q. Did you do any testing of		16	search, you come up with things that are	
	your methodology of doing searches to		17	related and some that are not related at	
	ensure that you had captured all the		18	all.	
	relevant literature?		19	Q. Does your report anywhere	
20	MS. O'DELL: Object to the		20	describe or include a description of how	
21	form.		21	you weighed the various authorities that	
22	THE WITNESS: What do you		22	you reviewed?	
23	mean by testing?		23	A. My report talks about under	
	BY MR. HEGARTY:		24	mandate and methodology how I the last	
		Page 135			Page 137
1	Q. Well, I don't know. Did you		1	paragraph, and that begins more than 300	
2	do any tests, having someone else do		2	publications, will talks about how	
3	searches, repeating the searches, to see		3	I how I looked at the publications and	
4	if your original searches captured all of		4	how I decided how to cut down or dismiss	
5	the relevant literature?		5	certain papers based on a closer	
6	A. We did several searches		6	scrutiny. And I focused specifically for	
7	doing using different words and		7	biological plausibility and being a	
8	different aspects, so that we could we		8	toxicologist on in vitro, in vivo, and ex	
9	got numerous duplicates because we came		9	vivo studies as well as cell studies,	
10	in with different words, and key		10	animal studies, and tissues.	
	keywords and key phrases.		11	Q. Did you assign any numerical	
12	Q. You do agree that it would		12	value to each authority as they relate to	
13	be necessary for a proper methodology to		13	the importance to you?	
	reach opinions about biologic		14	A. I did not assign any	
15	plausibility, that you have reviewed all		15	numerical value. There was no	
16	the pertinent literature, correct?		16	quantitative measurement done.	
17	MS. O'DELL: Object to the		17	Q. Was it also part of your	
18	form.		18	methodology to review all expert reports	
	THE WITNESS: To my		19	in the litigation that concerned biologic	
19	1 1 1 T ' 1.1		20	plausibility?	
19 20	knowledge I reviewed the			plausionity:	
19 20 21	literature that was pertinent to		21	MS. O'DELL: Object to the	
19 20 21 22				•	
19 20 21	literature that was pertinent to		21	MS. O'DELL: Object to the	

		Page 138			Page 140
1	BY MR. HEGARTY:	1 050 150	1	THE WITNESS: To my	1 ugo 1 10
2	Q. Sure. Was it part of your		2	knowledge, I have no knowledge as	
3	methodology to review all expert reports		3	to how they selected the reports	
4	in the litigation concerning biologic		4	or which reports they selected to	
5	plausibility?		5	send.	
6	A. I I looked at reports		6	BY MR. HEGARTY:	
7	that had relevancy in terms of animal		7	Q. You didn't have get a	
8	models, in vitro cultures or ex vivo		8	list of all expert reports and decide	
9	studies, yes. My opinion was formed		9	which ones you wanted, correct?	
10	primarily by the publications and the		10	MS. O'DELL: Object to the	
11	science that I reviewed.		11	form.	
12	Q. Was it part of your		12	THE WITNESS: I no. I	
13	methodology for purposes of your opinions		13	did not get a list of an entirety.	
14	to review the expert witness reports from		14	BY MR. HEGARTY:	
15	the litigation that touch on biologic		15	Q. Do you know plaintiffs'	
16	plausibility?		16	counsel methodology for purposes of	
17	MS. O'DELL: Object to the		17	selecting the reports to provide to you?	
18	form. Asked and answered.		18	A. I do not know their	
19	THE WITNESS: I reviewed the		19	methodology, but I would guess since	
20	publications and the book chapters		20	papers were supplied to me that had both	
21	and information that I thought		21	opinions and conclusions that led to	
22	would go towards my my opinion.		22	either positive associations or lack of	
23	BY MR. HEGARTY:		23	positive or data from scientific in vivo	
24	Q. Your expert report, as we		24	studies, et cetera, that showed effects	
		Page 139			Page 141
1	have looked at, includes references to	Page 139	1	and no effects, I would assume that I got	Page 141
1 2	have looked at, includes references to several other experts' reports, correct?	Page 139	1 2	and no effects, I would assume that I got all the literature both from both	Page 141
		Page 139			Page 141
2	several other experts' reports, correct?	Page 139	2	all the literature both from both	Page 141
2 3	we looked at that earlier. A. If you say so, yes. Q. Did you select those expert	Page 139	2 3	all the literature both from both perceptions.	Page 141
2 3 4 5 6	several other experts' reports, correct? We looked at that earlier. A. If you say so, yes.	Page 139	2 3 4 5 6	all the literature both from both perceptions. Q. Can you identify any medical literature that you had reviewed prior to being contacted by Ms. Emmel?	Page 141
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		Page 142			Page 144
1	Q. Did the plaintiffs' counsel		1	section "produced documents"?	
2	provide you with copies of those		2	A. I reviewed all of the	
3	documents?		3	documents that are in the binder listed	
4	A. I have not gone through		4	as production documents. I did not check	
5	every paper in those multiple binders. I		5	one for another, so I cannot say I did	
6	would assume that many of them are in		6	all of these	
7	there.		7	Q. Did you receive	
8	Q. That's not my question,		8	A or they did not.	
9	Doctor. My question was, were those		9	Q. I'm sorry. Did you receive	
10	documents provided to you by counsel for		10	from counsel from plaintiffs all the	
11	plaintiffs?		11	documents that have been produced in this	
12	MS. O'DELL: What documents		12	litigation that concerned biologic	
13	are you referring to?		13	plausibility?	
14	MR. HEGARTY: The documents		14	MS. O'DELL: Object to the	
15	that are listed by Bates number in		15	form.	
16	Exhibit B.		16	THE WITNESS: I have no	
17	THE WITNESS: Oh, you're		17	knowledge of whether I received	
18	talking about produced documents?		18	every single document there is out	
19	BY MR. HEGARTY:		19	there.	
20	Q. Yes.		20	BY MR. HEGARTY:	
21	A. Repeat your question,		21	Q. Did you ask for did you	
22	please.		22	ask counsel for plaintiffs to provide you	
23	Q. Sure. Were the documents		23	all the documents that have been produced	
24	listed by Bates number under produced		24	in this case concerning biologic	
		Page 143			Page 145
1	documents provided to you by counsel for	Page 143	1	plausibility?	Page 145
1 2	documents provided to you by counsel for plaintiffs?	Page 143		plausibility? MS. O'DELL: Object to the	Page 145
1 2 3	documents provided to you by counsel for plaintiffs? A. Produced documents were	Page 143	2	plausibility? MS. O'DELL: Object to the form.	Page 145
2	plaintiffs? A. Produced documents were	Page 143		MS. O'DELL: Object to the	Page 145
2 3 4	plaintiffs? A. Produced documents were supplied to me in the folder that is	Page 143	2 3	MS. O'DELL: Object to the form.	Page 145
2 3	plaintiffs? A. Produced documents were supplied to me in the folder that is listed, production documents.	Page 143	2 3 4	MS. O'DELL: Object to the form. THE WITNESS: Did not ask it	Page 145
2 3 4 5	plaintiffs? A. Produced documents were supplied to me in the folder that is	Page 143	2 3 4 5	MS. O'DELL: Object to the form. THE WITNESS: Did not ask it in that manner.	Page 145
2 3 4 5 6	plaintiffs? A. Produced documents were supplied to me in the folder that is listed, production documents. Q. Did you ask for those	Page 143	2 3 4 5 6	MS. O'DELL: Object to the form. THE WITNESS: Did not ask it in that manner. I did ask for in vitro	Page 145
2 3 4 5 6 7	plaintiffs? A. Produced documents were supplied to me in the folder that is listed, production documents. Q. Did you ask for those specific documents?	Page 143	2 3 4 5 6 7	MS. O'DELL: Object to the form. THE WITNESS: Did not ask it in that manner. I did ask for in vitro studies that they could find, ex	Page 145
2 3 4 5 6 7 8	plaintiffs? A. Produced documents were supplied to me in the folder that is listed, production documents. Q. Did you ask for those specific documents? A. I did not.	Page 143	2 3 4 5 6 7 8	MS. O'DELL: Object to the form. THE WITNESS: Did not ask it in that manner. I did ask for in vitro studies that they could find, ex vivo studies, and I also did my	Page 145
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	plaintiffs? A. Produced documents were supplied to me in the folder that is listed, production documents. Q. Did you ask for those specific documents? A. I did not. Q. Do you know what the methodology was for selecting those specific documents to send to you? A. I do not. MS. O'DELL: Object to the form. THE WITNESS: Sorry. BY MR. HEGARTY: Q. Did you ask for any additional documents that would fall under the definition of produced documents besides those plaintiffs'	Page 143	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MS. O'DELL: Object to the form. THE WITNESS: Did not ask it in that manner. I did ask for in vitro studies that they could find, ex vivo studies, and I also did my own literature search. Yes. BY MR. HEGARTY: Q. Were you did you understand that or do you understand that you've been provided with all the produced documents that concern biologic plausibility? MS. O'DELL: Object to form. THE WITNESS: I have no knowledge of whether I received all documents. BY MR. HEGARTY:	Page 145
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	Page 146			Page 148
1	documents	1	experiments that I'm aware of that	1 450 170
2	Q. Yes.	2	were done that I have knowledge	
3	A did I sign a protective	3	of? No I have no knowledge of any	
4	order?	4	laboratory testing or experimental	
5	Q. Yes.	5	testing in this field.	
6	MS. O'DELL: Object to the	6	BY MR. HEGARTY:	
7	form. It's a confidentiality	7	Q. You did not do any testing	
8	order in this litigation. You may	8	yourself for purposes of developing your	
9	not be aware of it.	9	opinions in this case, correct?	
10	MR. HEGARTY: Okay, well,	10	A. I did not do any laboratory	
11	confidentiality order.	11	tests.	
12	MS. O'DELL: Just so it's	12	Q. All the opinions that are	
13	not unclear to the witness.	13	set out in your report about biologic	
14	BY MR. HEGARTY:	14	plausibility between talc and ovarian	
15	Q. Did you sign a	15	cancer were formed after being contacted	
16	confidentiality order before reviewing	16	by counsel for plaintiffs about	
17	the Bates-stamped documents?	17	testifying as an expert in this case,	
18	A. I signed a confidentiality	18	correct?	
19	agreement early on.	19	MS. O'DELL: Objection to	
20	Q. Do you rely on any tests for	20	form.	
21	purposes of your opinions that are not	21	THE WITNESS: After being	
22	reported in the medical literature?	22	contacted by the plaintiffs I did	
23	A. Again	23	a literature search and followed	
24	MS. O'DELL: Object to the	24	the science.	
	Page 147			Page 149
1	Page 147 form.	1	BY MR. HEGARTY:	Page 149
1 2		1 2	BY MR. HEGARTY: Q. That's not my question,	Page 149
	form.			Page 149
2	form. THE WITNESS: Please	2	Q. That's not my question,	Page 149
2 3	form. THE WITNESS: Please describe "tests."	2 3	Q. That's not my question, Doctor.	Page 149
2 3 4	form. THE WITNESS: Please describe "tests." BY MR. HEGARTY:	2 3 4	Q. That's not my question, Doctor. My question is, all the	Page 149
2 3 4 5	form. THE WITNESS: Please describe "tests." BY MR. HEGARTY: Q. Well, did you rely on any	2 3 4 5	Q. That's not my question, Doctor. My question is, all the opinions set out in your report about	Page 149
2 3 4 5 6	form. THE WITNESS: Please describe "tests." BY MR. HEGARTY: Q. Well, did you rely on any testing or tests for purposes of your	2 3 4 5 6	Q. That's not my question, Doctor. My question is, all the opinions set out in your report about biologic plausibility as they relate to	Page 149
2 3 4 5 6 7	form. THE WITNESS: Please describe "tests." BY MR. HEGARTY: Q. Well, did you rely on any testing or tests for purposes of your opinions that are not contained in the	2 3 4 5 6 7	Q. That's not my question, Doctor. My question is, all the opinions set out in your report about biologic plausibility as they relate to talc and ovarian cancer were formed after	Page 149
2 3 4 5 6 7 8	form. THE WITNESS: Please describe "tests." BY MR. HEGARTY: Q. Well, did you rely on any testing or tests for purposes of your opinions that are not contained in the medical literature	2 3 4 5 6 7 8	Q. That's not my question, Doctor. My question is, all the opinions set out in your report about biologic plausibility as they relate to talc and ovarian cancer were formed after being contacted by counsel for	Page 149
2 3 4 5 6 7 8 9	form. THE WITNESS: Please describe "tests." BY MR. HEGARTY: Q. Well, did you rely on any testing or tests for purposes of your opinions that are not contained in the medical literature MS. O'DELL: Objection to	2 3 4 5 6 7 8 9	Q. That's not my question, Doctor. My question is, all the opinions set out in your report about biologic plausibility as they relate to talc and ovarian cancer were formed after being contacted by counsel for plaintiffs, correct?	Page 149
2 3 4 5 6 7 8 9 10	form. THE WITNESS: Please describe "tests." BY MR. HEGARTY: Q. Well, did you rely on any testing or tests for purposes of your opinions that are not contained in the medical literature MS. O'DELL: Objection to form.	2 3 4 5 6 7 8 9 10	Q. That's not my question, Doctor. My question is, all the opinions set out in your report about biologic plausibility as they relate to talc and ovarian cancer were formed after being contacted by counsel for plaintiffs, correct? A. That is correct.	Page 149
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2 3 4 5 6 7 8 9 10 11 12	form. THE WITNESS: Please describe "tests." BY MR. HEGARTY: Q. Well, did you rely on any testing or tests for purposes of your opinions that are not contained in the medical literature MS. O'DELL: Objection to form. BY MR. HEGARTY: Q that we wouldn't have	2 3 4 5 6 7 8 9 10 11 12	Q. That's not my question, Doctor. My question is, all the opinions set out in your report about biologic plausibility as they relate to talc and ovarian cancer were formed after being contacted by counsel for plaintiffs, correct? A. That is correct. Q. Can you cite for us any occasion where you've done the exact same thing that you have done here to prepare your report; that is, do an analysis of	Page 149
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	form. THE WITNESS: Please describe "tests." BY MR. HEGARTY: Q. Well, did you rely on any testing or tests for purposes of your opinions that are not contained in the medical literature MS. O'DELL: Objection to form. BY MR. HEGARTY: Q that we wouldn't have access to but that you did? MS. O'DELL: Object to the form. Besides those produced in the litigation? MR. HEGARTY: Yeah, that goes without saying. MS. O'DELL: It doesn't go without saying. It's an unfair	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. That's not my question, Doctor. My question is, all the opinions set out in your report about biologic plausibility as they relate to talc and ovarian cancer were formed after being contacted by counsel for plaintiffs, correct? A. That is correct. Q. Can you cite for us any occasion where you've done the exact same thing that you have done here to prepare your report; that is, do an analysis of the literature on the biologic plausibility between the exposure to a substance and a disease? A. Nothing has been done exactly like it's been here, but for advisory boards that I've been on,	Page 149
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	form. THE WITNESS: Please describe "tests." BY MR. HEGARTY: Q. Well, did you rely on any testing or tests for purposes of your opinions that are not contained in the medical literature MS. O'DELL: Objection to form. BY MR. HEGARTY: Q that we wouldn't have access to but that you did? MS. O'DELL: Object to the form. Besides those produced in the litigation? MR. HEGARTY: Yeah, that goes without saying. MS. O'DELL: It doesn't go without saying. It's an unfair question.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. That's not my question, Doctor. My question is, all the opinions set out in your report about biologic plausibility as they relate to talc and ovarian cancer were formed after being contacted by counsel for plaintiffs, correct? A. That is correct. Q. Can you cite for us any occasion where you've done the exact same thing that you have done here to prepare your report; that is, do an analysis of the literature on the biologic plausibility between the exposure to a substance and a disease? A. Nothing has been done exactly like it's been here, but for advisory boards that I've been on, including the National Toxicology Board,	Page 149
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	form. THE WITNESS: Please describe "tests." BY MR. HEGARTY: Q. Well, did you rely on any testing or tests for purposes of your opinions that are not contained in the medical literature MS. O'DELL: Objection to form. BY MR. HEGARTY: Q that we wouldn't have access to but that you did? MS. O'DELL: Object to the form. Besides those produced in the litigation? MR. HEGARTY: Yeah, that goes without saying. MS. O'DELL: It doesn't go without saying. It's an unfair question. THE WITNESS: So if I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. That's not my question, Doctor. My question is, all the opinions set out in your report about biologic plausibility as they relate to talc and ovarian cancer were formed after being contacted by counsel for plaintiffs, correct? A. That is correct. Q. Can you cite for us any occasion where you've done the exact same thing that you have done here to prepare your report; that is, do an analysis of the literature on the biologic plausibility between the exposure to a substance and a disease? A. Nothing has been done exactly like it's been here, but for advisory boards that I've been on, including the National Toxicology Board, the Institute of Medicine, the Institute	Page 149

1 to do literature reviews on the question 2 that's in front of them and come up with 3 an opinion based upon our literature 4 reviews. 5 Q. Have you ever published an 6 article in the medical literature where 7 you've done the same thing that you've 8 done here, which is to review all the 9 literature on a substance and a disease 10 and offer opinions as to whether there's 1 the words "biological feasibility" or 2 "potential mechanisms" or "plausible" 3 I may have used the word "plausibility that are similar to those. 6 Q. Doctor, when did you first ovarian cancer and talc use? 9 MS. O'DELL: Object to the form.	r," to
2 that's in front of them and come up with 3 an opinion based upon our literature 4 reviews. 5 Q. Have you ever published an 6 article in the medical literature where 7 you've done the same thing that you've 8 done here, which is to review all the 9 literature on a substance and a disease 2 "potential mechanisms" or "plausible" 3 I may have used the word "plausibility 4 but I have used words that are similar to those. 6 Q. Doctor, when did you first 7 become aware of an alleged link between the same thing that you've and talc use? 9 MS. O'DELL: Object to the	r," to
3 an opinion based upon our literature 4 reviews. 5 Q. Have you ever published an 6 article in the medical literature where 7 you've done the same thing that you've 8 done here, which is to review all the 9 literature on a substance and a disease 3 I may have used the word "plausibility 4 but I have used words that are similar to 5 those. 6 Q. Doctor, when did you first 7 become aware of an alleged link between 8 ovarian cancer and talc use? 9 MS. O'DELL: Object to the	r," to
4 reviews. 5 Q. Have you ever published an 6 article in the medical literature where 7 you've done the same thing that you've 8 done here, which is to review all the 9 literature on a substance and a disease 4 but I have used words that are similar to those. 6 Q. Doctor, when did you first 7 become aware of an alleged link between the same thing that you've 8 ovarian cancer and talc use? 9 MS. O'DELL: Object to the	to
5 Q. Have you ever published an 6 article in the medical literature where 7 you've done the same thing that you've 8 done here, which is to review all the 9 literature on a substance and a disease 5 those. 6 Q. Doctor, when did you first 7 become aware of an alleged link between 8 ovarian cancer and talc use? 9 MS. O'DELL: Object to the	
6 article in the medical literature where 7 you've done the same thing that you've 8 done here, which is to review all the 9 literature on a substance and a disease 6 Q. Doctor, when did you first 7 become aware of an alleged link betwee 8 ovarian cancer and talc use? 9 MS. O'DELL: Object to the	een
7 you've done the same thing that you've 8 done here, which is to review all the 9 literature on a substance and a disease 7 become aware of an alleged link between the substance and talc use? 9 MS. O'DELL: Object to the	een
8 done here, which is to review all the 9 literature on a substance and a disease 8 ovarian cancer and talc use? 9 MS. O'DELL: Object to the	
9 literature on a substance and a disease 9 MS. O'DELL: Object to the	
J J	
To that offer opinions as to whether there's	
11 biologic plausibility between that 11 THE WITNESS: When did I	li li
12 substance and a disease? 12 first become aware of the alleged	
13 A. I have written reviews that 13 link between ovarian cancer and	
14 are a culmination of all of the 14 talc use? From from the media.	
15 literature that I reviewed on topics. 15 I would say maybe a year prior to	
16 Never one on ovarian cancer and talc. 16 being contacted by Ms. Emmel.	
17 And to my knowledge, I have 17 BY MR. HEGARTY:	
18 not offered an opinion, but followed a 18 Q. Can you cite for me any	
19 conclusion from the science. 19 scientific or medical group, entity or	
20 Q. I think my question is a 20 organization who has concluded that	
21 little bit different. My question is, 21 genital talc use causes ovarian cancer?	,
22 have you published any article in the 22 A. I really, my opinion is	
23 literature where you have done 23 based on biological plausibility.	
24 essentially the same thing that you have 24 Q. I understand that. But my	
Page 151	Page 153
1 done here, which is review all the 1 question is simply from your knowledger	ge,
2 literature on an exposure and a disease 2 here today, can you cite for me any	
3 and offer opinions as to whether there's 3 scientific or medical group, entity or	
4 biologic plausibility between the 4 organization who has concluded that	
5 exposure and the disease? 5 genital talc use causes ovarian cancer?	'
6 A. Most of the papers that I 6 MS. O'DELL: Object to the	
7 publish will offer a potential, whether a 7 form.	
8 speculative potential or one that is 8 THE WITNESS: Well,	
9 defined within other published literature 9 concluded is is a word for	
10 as a potential mechanism of action or as 10 discussion.	
11 potential plausible outcome. 11 IARC in the 1993 report from	
So for any published paper 12 inhalation toxicology and	
13 from the research that I've done or that 13 inhalation of talc did show that	
14 people do, we explain an observation that 14 there was tumor induction in	
15 has been found in our laboratory from 15 female rats in the lungs and that	
16 testing, as you call it. And we will 16 there was adrenal gland tumors	
17 explain the observation in terms of 17 that were formed.	
18 biological plausibility, if that's what 18 BY MR. HEGARTY:	
19 you're referring to. 19 Q. Well, IARC has never	
Q. Well, have you ever used the 20 concluded that the use of talc in the	
21 phrase "biologic plausibility" in any 21 genital area causes ovarian cancer,	
22 published article? 22 correct?	
23 A. I cannot cite them for you, 24 A. You asked me whether there	
24 but I I am confident that I have used 24 was any body of literature or any	

	ī	Page 154			Page 156
1	advisory boards or any institution which	. ugv 107	1	BY MR. HEGARTY:	1 450 150
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	has concluded that there is a causal		2	Q. II-B is possibly	
$\frac{2}{3}$	relationship. And I've cited to you a		3	carcinogenic, correct?	
4	study		4	A. To humans.	
5	Q. That's not my question. My		5	Q. I'm sorry?	
6	question was can you cite for me any		6	A. To humans. Possibly	
7	scientific or medical group, entity or		7	carcinogenic to humans. That doesn't	
8	organization who has concluded that		8	exclude the fact that there is animal	
9	genital talc use causes ovarian cancer.		9	data supporting that conclusion. If	
10	MS. O'DELL: Object to the		10	there were no animal data it it would	
11	form.		11	not even be considered a II-B. So	
12	THE WITNESS: I have I		12	there there's evidence that the IARC	
13	have given you information on a		13	evaluated and came up with a II-B	
14	study done at the national		14	classification.	
15	toxicology program.		15	Q. Is it your opinion that the	
16	BY MR. HEGARTY:		16	biologic plausibility of tale products	
17	Q. Is that the extent of your		17	causing ovarian cancer has been generally	
18	answer?		18	accepted in the medical community?	
19	A. There are to my		19	A. I think it depends on the	
20	knowledge, that's the best study that I		20	medical community.	
21	can cite to you.		21	Q. Well, aside from any medical	
22	Q. That's a study, correct?		22	community that has accepted that there is	
23	A. That was a study, and they		23	biologic plausibility between the use of	
24	are also a body that makes conclusions.		24	tale products in in ovarian cancer.	
	are also a sody that makes conclusions.		_ '	tare products in an ovarian cancer.	
	F	Page 155			Page 157
1		Page 155	1	Let me let me restate that.	Page 157
1 2	Q. That study did not involve	Page 155	1 2		Page 157
1 2 3		Page 155		Can you cite for me any	Page 157
2	Q. That study did not involve any commentary on ovarian cancer,	Page 155	2	Can you cite for me any medical community that has accepted that	Page 157
2 3	Q. That study did not involve any commentary on ovarian cancer, correct?	Page 155	2 3	Can you cite for me any	Page 157
2 3 4	Q. That study did not involve any commentary on ovarian cancer, correct? A. The study did not involve	Page 155	2 3 4	Can you cite for me any medical community that has accepted that there is biologic plausibility of talc	Page 157
2 3 4 5	Q. That study did not involve any commentary on ovarian cancer, correct? A. The study did not involve commentary on that.	Page 155	2 3 4 5	Can you cite for me any medical community that has accepted that there is biologic plausibility of talc products causing ovarian cancer?	Page 157
2 3 4 5 6	Q. That study did not involve any commentary on ovarian cancer, correct? A. The study did not involve commentary on that. Q. Can you name any regulatory	Page 155	2 3 4 5 6	Can you cite for me any medical community that has accepted that there is biologic plausibility of talc products causing ovarian cancer? A. I'm not knowledgeable at	Page 157
2 3 4 5 6 7	Q. That study did not involve any commentary on ovarian cancer, correct? A. The study did not involve commentary on that. Q. Can you name any regulatory body who has stated that talc use is a		2 3 4 5 6 7	Can you cite for me any medical community that has accepted that there is biologic plausibility of talc products causing ovarian cancer? A. I'm not knowledgeable at about all the medical communities and	Page 157
2 3 4 5 6 7 8	Q. That study did not involve any commentary on ovarian cancer, correct? A. The study did not involve commentary on that. Q. Can you name any regulatory body who has stated that talc use is a cause of ovarian cancer? A. Not as I sit here right now. But again, making conclusions on		2 3 4 5 6 7 8	Can you cite for me any medical community that has accepted that there is biologic plausibility of talc products causing ovarian cancer? A. I'm not knowledgeable at about all the medical communities and what disciplines they are in.	Page 157
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		Page 158			Page 160
1	THE WITNESS: What I'm		1	Thank you.	5
2	saying is I have no knowledge of		2	BY MR. HEGARTY:	
3	the documents they have put out		3	Q. You don't you don't know	
4	with a conclusion as a white paper		4	what a cosmetic is?	
5	or any other published literature		5	A. I'm asking you what your	
6	that has made that conclusion.		6	definition is.	
7	BY MR. HEGARTY:		7	Q. Well, I what is your	
8	Q. What does sorry.		8	definition?	
9	A. Or has not made that		9	A. A definition of a cosmetic	
10	conclusion.		10	is since I'm not in the cosmetic	
11	Q. What does general acceptance		11	field a cosmetic is something that is	
12	mean to you?		12	used for hygiene or aesthetics and used	
13	A. General acceptance for		13	dermally.	
14	example, benzine, it causes leukemia and		14	Q. Have you ever written any	
15	other blood cancers. That is a general		15	scientific article about a cosmetic under	
16	acceptance by the medical community which		16	your definition?	
17	we all adhere to, abide by, based upon		17	A. Not to my knowledge, but I	
18	the excessive amount of literature that		18	would have to look at all of my papers	
19			19	again, if you'd like me to do that.	
20	is out there showing proving and addressing Hill's criteria and coming up		20	Q. Can you cite for me any	
21	with the fact that it is a it is a		21	publication of yours where you comment on	
22			22	asbestos?	
23	carcinogen for blood cancers.		23		
$\begin{vmatrix} 23 \\ 24 \end{vmatrix}$	That is general knowledge.		24	A. I would have to look at my	
24	General knowledge is something saying		24	references. I go back from 1982.	
		Page 159			Page 161
1	that nickel can be a carcinogen, nickel	Page 159	1	Q. Sitting here today, can you	Page 161
1 2	that nickel can be a carcinogen, nickel is a carcinogen and is classified by IARC	Page 159	1 2	Q. Sitting here today, can you cite for us, without looking at any	Page 161
		Page 159	1 2 3		Page 161
2 3 4	is a carcinogen and is classified by IARC	Page 159		cite for us, without looking at any	Page 161
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1		Page 162			Page 164
1	A. I would also like to look at		1	as scientists, involved as co-authors,	
	my CV.		2	oftentimes. And I do not recall back to	
2 3	Q. Without looking at your CV,		3	1982.	
4	you can't say one way or the other?		4	Q. Well, for purposes of your	
5	A. I can't say conclusively.		5	report, you do not cite to any of your	
6	My CV and my publications go back to		6	own work, correct?	
7	1982. It was quite a while ago.		7	A. That is correct.	
8	Q. And you can't say		8	Q. You've never written	
9	conclusively whether you've written an		9	anything about talc and ovarian cancer,	
10	article about asbestos?		10 11	correct? A. I think I asked and answered	
11 12	A. I would rather look at my my publications.		12	that. I think I answered that. But I	
13	Q. Okay. Have you ever		13	can repeat it.	
14	written		14	Q. No, you did not. I did not	
15	A. Would you like me to do		15	ask you that question, ma'am.	
16	that, sir?		16	A. So can	
17	Q. No. I'm not asking you to		17	Q. I asked you had you ever	
18	do that right now.		18	written anything about talc. My question	
19	A. Thank you.		19	that I just asked you is have you ever	
20	Q. Sitting here today without		20	written anything about talc and ovarian	
21	looking at your CV, can you cite for me		21	cancer?	
22	any article you've ever written about		22	A. To my knowledge, as I sit	
23	asbestos?		23	here now without looking at my	
24	MS. O'DELL: Objection to		24	publications, no.	
		Page 163			Page 165
1	form.		1	Q. Prior to being contacted by	
2 3 4 5 6	THE WITNESS: To my		2	plaintiff's counsel have you ever	
3	knowledge at this particular		3	reviewed the body of literature on the	
4	moment, I cannot cite for you an		4		
5	article that I specifically wrote		4	etiologies or biology related to ovarian	
6			5	cancer?	
	on asbestos. Whether or not I was			A. Not prior to being	
7	a co-author on one, I cannot		5 6 7	A. Not prior to being contacted, no.	
8	a co-author on one, I cannot recall.		5 6 7 8	cancer? A. Not prior to being contacted, no. Q. You've never published any	
<mark>8</mark> 9	a co-author on one, I cannot recall. BY MR. HEGARTY:		5 6 7 8 9	cancer? A. Not prior to being contacted, no. Q. You've never published any opinions about the causes of ovarian	
8 9 10	a co-author on one, I cannot recall. BY MR. HEGARTY: Q. Would that be the same	1)	5 6 7 8 9	cancer? A. Not prior to being contacted, no. Q. You've never published any opinions about the causes of ovarian cancer, correct?	
8 9 10 11	a co-author on one, I cannot recall. BY MR. HEGARTY: Q. Would that be the same answer as to a fragrance?		5 6 7 8 9 10 11	cancer? A. Not prior to being contacted, no. Q. You've never published any opinions about the causes of ovarian cancer, correct? A. To my knowledge, sitting	
8 9 10 11 12	a co-author on one, I cannot recall. BY MR. HEGARTY: Q. Would that be the same answer as to a fragrance? A. I I would really rather		5 6 7 8 9 10 11 12	cancer? A. Not prior to being contacted, no. Q. You've never published any opinions about the causes of ovarian cancer, correct? A. To my knowledge, sitting here, no.	
8 9 10 11 12 13	a co-author on one, I cannot recall. BY MR. HEGARTY: Q. Would that be the same answer as to a fragrance? A. I I would really rather look at my CV and my publications and		5 6 7 8 9 10 11 12 13	cancer? A. Not prior to being contacted, no. Q. You've never published any opinions about the causes of ovarian cancer, correct? A. To my knowledge, sitting here, no. Q. You never published any	
8 9 10 11 12 13 14	a co-author on one, I cannot recall. BY MR. HEGARTY: Q. Would that be the same answer as to a fragrance? A. I I would really rather look at my CV and my publications and book chapters.		5 6 7 8 9 10 11 12	cancer? A. Not prior to being contacted, no. Q. You've never published any opinions about the causes of ovarian cancer, correct? A. To my knowledge, sitting here, no. Q. You never published any opinions about the risk factors for	
8 9 10 11 12 13	a co-author on one, I cannot recall. BY MR. HEGARTY: Q. Would that be the same answer as to a fragrance? A. I I would really rather look at my CV and my publications and book chapters. Q. Before being contacted by		5 6 7 8 9 10 11 12 13 14	cancer? A. Not prior to being contacted, no. Q. You've never published any opinions about the causes of ovarian cancer, correct? A. To my knowledge, sitting here, no. Q. You never published any opinions about the risk factors for ovarian cancer, correct?	
8 9 10 11 12 13 14 15	a co-author on one, I cannot recall. BY MR. HEGARTY: Q. Would that be the same answer as to a fragrance? A. I I would really rather look at my CV and my publications and book chapters.		5 6 7 8 9 10 11 12 13 14 15	cancer? A. Not prior to being contacted, no. Q. You've never published any opinions about the causes of ovarian cancer, correct? A. To my knowledge, sitting here, no. Q. You never published any opinions about the risk factors for	
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8 9 10 11 12 13 14 15 16 17 18 19 20 21	a co-author on one, I cannot recall. BY MR. HEGARTY: Q. Would that be the same answer as to a fragrance? A. I I would really rather look at my CV and my publications and book chapters. Q. Before being contacted by counsel for plaintiffs in this case, you had never developed or offered any opinions about talc, correct? A. That is correct. Q. You've never written anything about ovarian cancer, correct?		5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	cancer? A. Not prior to being contacted, no. Q. You've never published any opinions about the causes of ovarian cancer, correct? A. To my knowledge, sitting here, no. Q. You never published any opinions about the risk factors for ovarian cancer, correct? A. I really I'm not sure. I know that I have given that information, not an opinion, but have given that information in teaching courses. Q. Have you ever taught any courses on asbestos?	
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	a co-author on one, I cannot recall. BY MR. HEGARTY: Q. Would that be the same answer as to a fragrance? A. I I would really rather look at my CV and my publications and book chapters. Q. Before being contacted by counsel for plaintiffs in this case, you had never developed or offered any opinions about talc, correct? A. That is correct. Q. You've never written anything about ovarian cancer, correct? A. Again, just to put on the		5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	cancer? A. Not prior to being contacted, no. Q. You've never published any opinions about the causes of ovarian cancer, correct? A. To my knowledge, sitting here, no. Q. You never published any opinions about the risk factors for ovarian cancer, correct? A. I really I'm not sure. I know that I have given that information, not an opinion, but have given that information in teaching courses. Q. Have you ever taught any courses on asbestos? A. Asbestos has been included.	
8 9 10 11 12 13 14 15 16 17 18 19 20 21	a co-author on one, I cannot recall. BY MR. HEGARTY: Q. Would that be the same answer as to a fragrance? A. I I would really rather look at my CV and my publications and book chapters. Q. Before being contacted by counsel for plaintiffs in this case, you had never developed or offered any opinions about talc, correct? A. That is correct. Q. You've never written anything about ovarian cancer, correct?		5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	cancer? A. Not prior to being contacted, no. Q. You've never published any opinions about the causes of ovarian cancer, correct? A. To my knowledge, sitting here, no. Q. You never published any opinions about the risk factors for ovarian cancer, correct? A. I really I'm not sure. I know that I have given that information, not an opinion, but have given that information in teaching courses. Q. Have you ever taught any courses on asbestos?	

		Page 166			Page 168
1	toxicology course for biology masters. I		1	reproductive docs who do focus on this,	
2	give courses in air pollutants and		2	yes.	
3	cancer-causing agents and the toxicology		3	Q. And that has not been an	
4	of of airborne.		4	area of your focus, correct?	
5	Q. Have you ever taught in your		5	A. Not not in past. Has not	
6	courses any discussion about fragrances		6	been a primary focus.	
7	and toxicity?		7	Q. You have provided for us	
8	A. It may have come up as a		8	your CV, correct?	
9	minor point. We talk about pesticides,		9	A. That is correct.	
10	we talk about air pollutants. We talk		10	Q. That's included as part of	
11	about metals. Fragrances, we talked		11	Exhibit B to your expert report, correct?	
12	about limonene, eugenol, menthol and		12	MS. O'DELL: Objection to	
13	other fragrances in that realm in the		13	form.	
14	discussion of electronic cigarettes and		14	THE WITNESS: I think it's	
15	the aerosols produced by them.		15	stated here as Exhibit A.	
16	Q. And you provided to us all		16	BY MR. HEGARTY:	
17	the lectures or the content of lectures		17	Q. It's Exhibit A to your	
18	that you've given where you mentioned		18	expert report. Is that a current CV of	
19	talc, correct?		19	yours?	
20	A. I was not asked to		20	A. It was updated in	
21	MS. O'DELL: Object to the		21	August 2018. So it is not completely	
22	form.		22	updated as of January 2019.	
23	THE WITNESS: I was not		23	Q. Did you bring an updated CV	
24	asked to provide them. But please		24	to your deposition?	
		Page 167			Page 169
1	let me explain my teaching style.		1	A. I did not.	
2	My teaching style is such		2	Q. As you stated	
3	that I use few PowerPoints as		3	A. I'm sorry. I can provide	
4	queues. And much of my teaching		4	that.	
5	is done verbally, one-on-one. And		5	Q. Does your CV anywhere list	
6	they're not recorded.		6	any professional experience on ovarian	
7	So there is really not that		7	cancer?	
8	much there is nothing to supply		8	A. Excuse me. Not to my	
9	to counsel.		9	knowledge, in briefly reviewing my CV,	
10	BY MR. HEGARTY:		10	and not to my knowledge as I sit here.	
11	Q. Well, other than the		11	Q. Does your CV list any	
12	reference that you provided to us earlier		12	professional experience regarding	
13	about talc and ovarian cancer, you have		13	asbestos?	
14	not otherwise lectured regarding this		14	A. Specifically, asbestos as I	
15	subject, correct?		15	review, no. No, sir.	
16	A. That is correct.		16	Q. Does your CV list any	
17	Q. There are toxicologists who		17	professional experience regarding	
18	focus on issues dealing with reproductive		18	fragrances?	
19	medicine or reproductive sciences such as		19	A. Not to my knowledge, no,	
20	ovarian cancer and uterine cancer,		20	sir. But you're asking me only what's in	
21	correct?		21	my CV.	
22	A. There are scientists whose		22	I have I have worked I	
, , ,	major focus is on tale and ovarian cancer		23	have looked at or heard about from other	
23 24	and there are OB/GYNs as well as		24	advisory boards things to do with	

		Page 170			Page 172
1	flavorants, as I said with electronic	- 450 170	1	or scientist who believes that there is	1 450 1/2
2	cigarettes, hookah and smokeless tobacco.		2	biologic plausibility between use of	
3	So I am familiar with other which may		3	talcum powder and ovarian cancer?	
4	not be listed here in detail, which is		4	MS. O'DELL: Object to form.	
5	not listed here in detail, on flavorants		5	THE WITNESS: I have not	
6	and some of those same flavors used in		6	spoken to any doctors in that	
7	electronic cigarettes are also, I found,		7	regard.	
8	listed here.		8	BY MR. HEGARTY:	
9	Q. Has any entity or agency		9	Q. How about any scientists?	
10	consulted you with regard to diseases of		10	A. I have not spoke to any	
11	the female reproductive tract?		11	scientists in that regard.	
12	MS. O'DELL: Object to the		12	Q. Have you	
13	form.		13	A. My opinion was specifically	
14	THE WITNESS: Not to my		14	based upon the scientific literature that	
15	knowledge.		15	I had access to.	
16	BY MR. HEGARTY:		16	Q. Have you ever had your	
17	Q. And no one has ever asked		17	deposition taken before?	
18	you to look into any of the issues set		18	A. I have. Yes, sir.	
19	out in your report besides plaintiffs'		19	Q. How many times?	
20	counsel, correct?		20	A. One that I can recall. Two	
21	A. I'm sorry. Again?		21	that I'm now recalling. One that was	
22	Q. No one has asked you to look		22	in for Dow Chemical on breast implants	
23	at the issues set out in your expert		23	and relationship with autoimmune disease	
24	report in this case other than		24	and one from a personal attorney who	
	report in this case other than			and one from a personal accorney who	
		Page 171			Page 173
1	plaintiffs' counsel, correct?	Page 171	1	was who had a client who was exposed	Page 173
1 2	plaintiffs' counsel, correct? A. This specific ovarian cancer	Page 171	1 2	was who had a client who was exposed to wood burning from a wood stove, an	Page 173
		Page 171			Page 173
2	A. This specific ovarian cancer	Page 171	2	to wood burning from a wood stove, an	Page 173
2 3	A. This specific ovarian cancer and asbestos, that is correct.Q. You have not submitted your expert report in this case for peer	Page 171	2 3	to wood burning from a wood stove, an outdoor wood stove.	Page 173
2 3 4 5 6	A. This specific ovarian cancer and asbestos, that is correct. Q. You have not submitted your expert report in this case for peer review, correct?	Page 171	2 3 4 5 6	to wood burning from a wood stove, an outdoor wood stove. Q. As to the latter case, do you know where that case was pending or was filed?	Page 173
2 3 4 5	 A. This specific ovarian cancer and asbestos, that is correct. Q. You have not submitted your expert report in this case for peer review, correct? A. The only ones who have seen 	Page 171	2 3 4 5	to wood burning from a wood stove, an outdoor wood stove. Q. As to the latter case, do you know where that case was pending or was filed? A. I was deposed in New York	Page 173
2 3 4 5 6 7 8	A. This specific ovarian cancer and asbestos, that is correct. Q. You have not submitted your expert report in this case for peer review, correct?	Page 171	2 3 4 5 6 7 8	to wood burning from a wood stove, an outdoor wood stove. Q. As to the latter case, do you know where that case was pending or was filed? A. I was deposed in New York City.	Page 173
2 3 4 5 6 7 8 9	A. This specific ovarian cancer and asbestos, that is correct. Q. You have not submitted your expert report in this case for peer review, correct? A. The only ones who have seen my report have been the plaintiff attorneys, to my knowledge.	Page 171	2 3 4 5 6 7 8 9	to wood burning from a wood stove, an outdoor wood stove. Q. As to the latter case, do you know where that case was pending or was filed? A. I was deposed in New York City. Q. Do you know the name of the	Page 173
2 3 4 5 6 7 8 9	A. This specific ovarian cancer and asbestos, that is correct. Q. You have not submitted your expert report in this case for peer review, correct? A. The only ones who have seen my report have been the plaintiff attorneys, to my knowledge. If that was given out to		2 3 4 5 6 7 8 9	to wood burning from a wood stove, an outdoor wood stove. Q. As to the latter case, do you know where that case was pending or was filed? A. I was deposed in New York City. Q. Do you know the name of the case?	Page 173
2 3 4 5 6 7 8 9 10	A. This specific ovarian cancer and asbestos, that is correct. Q. You have not submitted your expert report in this case for peer review, correct? A. The only ones who have seen my report have been the plaintiff attorneys, to my knowledge. If that was given out to others at that point, I do not I do		2 3 4 5 6 7 8 9 10	to wood burning from a wood stove, an outdoor wood stove. Q. As to the latter case, do you know where that case was pending or was filed? A. I was deposed in New York City. Q. Do you know the name of the case? A. I'm afraid not, sir.	Page 173
2 3 4 5 6 7 8 9 10 11 12	A. This specific ovarian cancer and asbestos, that is correct. Q. You have not submitted your expert report in this case for peer review, correct? A. The only ones who have seen my report have been the plaintiff attorneys, to my knowledge. If that was given out to others at that point, I do not I do not have knowledge of that.		2 3 4 5 6 7 8 9 10 11 12	to wood burning from a wood stove, an outdoor wood stove. Q. As to the latter case, do you know where that case was pending or was filed? A. I was deposed in New York City. Q. Do you know the name of the case? A. I'm afraid not, sir. Q. How long ago was it?	Page 173
2 3 4 5 6 7 8 9 10 11 12 13	A. This specific ovarian cancer and asbestos, that is correct. Q. You have not submitted your expert report in this case for peer review, correct? A. The only ones who have seen my report have been the plaintiff attorneys, to my knowledge. If that was given out to others at that point, I do not I do not have knowledge of that. Q. You certainly have not		2 3 4 5 6 7 8 9 10 11 12 13	to wood burning from a wood stove, an outdoor wood stove. Q. As to the latter case, do you know where that case was pending or was filed? A. I was deposed in New York City. Q. Do you know the name of the case? A. I'm afraid not, sir. Q. How long ago was it? A. 15 years.	Page 173
2 3 4 5 6 7 8 9 10 11 12 13 14	A. This specific ovarian cancer and asbestos, that is correct. Q. You have not submitted your expert report in this case for peer review, correct? A. The only ones who have seen my report have been the plaintiff attorneys, to my knowledge. If that was given out to others at that point, I do not I do not have knowledge of that. Q. You certainly have not submitted your report for peer review,		2 3 4 5 6 7 8 9 10 11 12 13 14	to wood burning from a wood stove, an outdoor wood stove. Q. As to the latter case, do you know where that case was pending or was filed? A. I was deposed in New York City. Q. Do you know the name of the case? A. I'm afraid not, sir. Q. How long ago was it? A. 15 years. Q. You were testifying on	Page 173
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. This specific ovarian cancer and asbestos, that is correct. Q. You have not submitted your expert report in this case for peer review, correct? A. The only ones who have seen my report have been the plaintiff attorneys, to my knowledge. If that was given out to others at that point, I do not I do not have knowledge of that. Q. You certainly have not submitted your report for peer review, correct?		2 3 4 5 6 7 8 9 10 11 12 13 14 15	to wood burning from a wood stove, an outdoor wood stove. Q. As to the latter case, do you know where that case was pending or was filed? A. I was deposed in New York City. Q. Do you know the name of the case? A. I'm afraid not, sir. Q. How long ago was it? A. 15 years. Q. You were testifying on behalf of the plaintiff in that case?	Page 173
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	P	age 174			Page 176
1	implant case, were you testifying as an		1	cases are there any articles on which	
2	expert witness?		2	you rely for purposes of your opinions	
3	A. I was.		3	strike that. Let me ask it a different	
4	Q. On behalf of the plaintiffs?		4	way.	
5	A. If you're talking about on		5	How many articles have you	
6	the part of Dow, yes.		6	published since August of 2018?	
7	Q. Well, on the part of Dow who		7	A. I'm going to look at the	
8	was the defendant or the plaintiffs?		8	last publication.	
9	A. Dow was the defendant. I'm		9	I have one that was accepted	
10	sorry.		10	in press on the Garfield community and	
11	Q. Were you testifying on		11	looking at chromium exposure and doing	
12	behalf of Dow?		12	community engagement for the community	
13	A. I was.		13	and looking at blood level of	
14	Q. Any other cases you've been		14	measurements or toenail measurements,	
15	deposed in?		15	excuse me, toenail measurement of	
16	A. Not that I can recall.		16	chromium, as they're impacting	
17	Q. Have you been identified in		17	communities environmentally.	
18	any other cases as an expert witness		18	Also two publications have	
19	besides this one to your knowledge?		19	come out with the lead author, my being a	
20	A. I have done literature		20	corresponding author with the lead author	
21	reviews for a number of attorneys but		21	being from the University of Rochester in	
22	have not been deposed.		22	the area of inhaled particulate matter	
23	Q. My question is specific to		23	and during pregnancy and effects on	
24	whether you whether you are aware that		24	the on the offspring and on the fetus.	
	Р	age 175			Page 177
1		age 175	1	O You are not a medical	Page 177
1 2	you've been designated, identified, in	age 175	1 2	Q. You are not a medical	Page 177
2	you've been designated, identified, in the case as a testifying expert besides	age 175	2	doctor, correct?	Page 177
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2 3 4 5 6 7	you've been designated, identified, in the case as a testifying expert besides this case. Are you aware of any such cases? A. Not to my knowledge. Q. I know I referred earlier to your CV. But I'm marking it as	age 175	2 3 4 5 6 7	doctor, correct? A. I am not a medical doctor, although I did go to medical school for my Ph.D. training. Q. You can't treat patients, correct?	Page 177
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		Page 178			Page 180
1	A. I have no expertise in that,	č	1	those forms can exist both in	
2	no.		2	crystalline form or in a	
3	Q. You have no expertise in		3	non-asbestiform.	
4	diagnosing ovarian cancer, correct?		4	So they are both both	
5	A. I do not.		5	concluded to be asbestos.	
6	Q. You are not an expert on		6	BY MR. HEGARTY:	
7	asbestos, correct?		7	Q. Well, are there any	
8	A. I have not been classified		8	differences between	
9	as an expert in asbestos, although as I		9	A. By the EPA.	
10	said, I do work in air pollution and if		10	Q. Are there any differences	
11	asbestos is in the confines taken in		11	between amphibole and serpentine forms of	
12	the confines of air pollution, I could		12	asbestos?	
13	speak to that. But I have not been		13	MS. O'DELL: Object to form.	
14	designated as an expert.		14	THE WITNESS: Well, they are	
15	Q. What's the difference		15	different they are different	
16	between amphibole and serpentine forms of		16	minerals. But they are both	
17 18	asbestos?		17 18	classified as asbestos. BY MR. HEGARTY:	
19	MS. O'DELL: Object to form. BY MR. HEGARTY:		19		
20	Q. You can answer.		20	Q. Any other differences?A. It both of which contain	
21	A. It depends on whether it's		21	carcinogenic classified I, as IARC.	
22	asbestiform or non-asbestiform.		22	Both have within them carcinogenic	
23	Q. Okay. Asbestiform. What's		23	asbestos. To my knowledge, that is	
24	the difference between amphibole and		24	that is all I	
	The universe convent uniprices unit			VALUE 10 UAT 1	
		Page 179			Page 181
1	serpentine forms?	Page 179	1	Q. What was the most	Page 181
2	A. Well	Page 179	2	commercially used asbestos?	Page 181
2 3	A. Well MS. O'DELL: Object to the	Page 179	2 3	commercially used asbestos? A. Well, it it depends on	Page 181
2 3 4	A. Well MS. O'DELL: Object to the form.	Page 179	2 3 4	commercially used asbestos? A. Well, it it depends on the time. But for commercial use, in	Page 181
2 3 4 5	A. Well MS. O'DELL: Object to the form. THE WITNESS: Amphibole	Page 179	2 3 4 5	commercially used asbestos? A. Well, it it depends on the time. But for commercial use, in paints and housing and insulation, it was	Page 181
2 3 4 5 6	A. Well MS. O'DELL: Object to the form. THE WITNESS: Amphibole lists serpentine which is	Page 179	2 3 4 5 6	commercially used asbestos? A. Well, it it depends on the time. But for commercial use, in paints and housing and insulation, it was either chrysotile was used commercially	Page 181
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	Page	82		Page 184
1	the amount of iron. It depends on	1	Q. You are not an expert in	
2	the size of the fiber or the	$\frac{1}{2}$		
3	crystal.	3		
4	And so depending upon those		THE WITNESS: I have I	
5	factors you are going to have	5		- 1
6	differences in toxicity.	6	· · · · · · · · · · · · · · · · · · ·	- 1
7	BY MR. HEGARTY:			- 1
8	Q. Well, how does does	8		- 1
9	tremolite asbestos compare to chrysotile	9		- 1
10	asbestos in terms of toxicity?	10		- 1
11	A. I don't really I don't	11		- 1
12	think I can answer that in terms of	12		- 1
13	ranking it. I can tell you that	13	<u> </u>	- 1
14	chrysotile is a well-known carcinogen,	14	· · ·	- 1
15	well-established carcinogen by the	15		- 1
16	agencies. That tremolite is an amphibole	16	•	- 1
17	and it can exist in both forms, either	17		
18	asbestiform in the long longitudinal	18		- 1
19	fibriles, or it can exist as a mineral	19	*	- 1
20	that has dimensions in all different	20		- 1
21	directions.	21		- 1
22	So tremolite it's	22		- 1
23	difficult to rank, but chrysotile appears	23		- 1
24	to be when you say more toxic, you	24		- 1
	, , , , , , , , , , , , , , , , , , ,			
	Page	83		Page 185
1	have to understand what is the outcome	1	C 1	Page 185
2	have to understand what is the outcome that you're looking at. They can both	1 2	BY MR. HEGARTY:	Page 185
2 3	have to understand what is the outcome that you're looking at. They can both cause toxicity. I don't know what you	1	BY MR. HEGARTY: Q. You are not an expert on	Page 185
2 3 4	have to understand what is the outcome that you're looking at. They can both cause toxicity. I don't know what you exactly mean by more toxic.	1 2 3 4	BY MR. HEGARTY: Q. You are not an expert on talc, correct?	Page 185
2 3 4 5	have to understand what is the outcome that you're looking at. They can both cause toxicity. I don't know what you exactly mean by more toxic. Do you mean at a given	1 2 3	BY MR. HEGARTY: Q. You are not an expert on talc, correct? MS. O'DELL: Object to the	Page 185
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2 3 4 5 6 7 8	have to understand what is the outcome that you're looking at. They can both cause toxicity. I don't know what you exactly mean by more toxic. Do you mean at a given dose what what do you mean by Q. I didn't I didn't use the word "more toxic." I just I asked you	1 2 3 4 5 6 7	BY MR. HEGARTY: Q. You are not an expert on talc, correct? MS. O'DELL: Object to the form. THE WITNESS: I have done much work in dust, including the	Page 185
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		Page 186			Page 188
1	genetics. I have had courses in		1	components by percentage of Johnson's	
2	molecular toxicology and I do teach some		2	Baby Powder?	
2 3 4	molecular toxicology.		3	MS. O'DELL: Object to the	
4	Q. You are not a mineralogist,		4	form. Vague.	
5	correct?		5	THE WITNESS: I cannot	
6	A. I am not a mineralogist.		6	although I have looked at it, I	
7	Q. You are not an expert on		7	cannot tell you that off the top	
8	testing for the presence of asbestos,		8	of my head. I would have to	
9	correct?		9	look refresh my memory by	
10	A. I am not a chemist.		10	looking at an exhibit or a	
11	Q. You are not an expert on		11	document.	
12	testing the air for asbestos, correct?		12	BY MR. HEGARTY:	
13	A. We collect I collect		13	Q. What were the current	
14	particles in the air. I do air		14	components of Johnson's Baby Powder by	
15 16	measurements. That is the basis of my research.		15	percentage from the 19 1900s through	
17	When it comes to asbestos,		16 17	the present? A. I cannot	
18	we will send those those filters out		18	MS. O'DELL: Excuse me.	
19	to be analyzed by an expert laboratory,		19	Excuse me. Object to the form.	
20	and then we will help interpret the data.		20	Vague.	
21	Q. You are not an industrial		21	THE WITNESS: I cannot give	
22	hygienist, correct?		22	you percentages off the top of my	
23	A. I work with industrial		23	head. If you allow me to look at	
24	hygienists, but I do not have a degree in		24	a document I I could tell you.	
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		Page 187			Page 189
1	it.	Page 187	1	BY MR. HEGARTY:	Page 189
1 2	Q. You are not an expert on	Page 187	2	Q. Are the opinions in your	Page 189
3	Q. You are not an expert on Johnson's Baby Powder, correct?	Page 187	2 3	Q. Are the opinions in your report specific to particular	Page 189
3 4	Q. You are not an expert on Johnson's Baby Powder, correct? MS. O'DELL: Objection to	Page 187	2 3 4	Q. Are the opinions in your report specific to particular formulations of talcum powder consumer	Page 189
3 4 5	Q. You are not an expert on Johnson's Baby Powder, correct? MS. O'DELL: Objection to form.	Page 187	2 3 4 5	Q. Are the opinions in your report specific to particular formulations of talcum powder consumer products?	Page 189
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		Page 190			Page 192
1	was aware of. And looked at their		1	in the question that I was asked to	Č
2	ability to cause inflammation,		2	comment on, but from cursory knowledge	
3	let's say, or their carcinogenic		3	there are different cell types.	
4	potential.		4	O. What's the difference	
5	BY MR. HEGARTY:		5	between a low grade and high grade tumor?	
6	Q. But did you look		6	A. The induction of	
7	specifically did you specifically		7	invasiveness and proliferation capacity.	
8	analyze biologic plausibility specific to		8	Q. What is thought to be the	
9	J&J's strike that.		9	primary origin of high-grade serous	
10	Did you analyze biological		10	ovarian cancer?	
11	plausibility specific to Johnson's Baby		11	MS. O'DELL: Object to the	
12	Powder in your report?		12	form.	
13	A. If the literature was there,		13	THE WITNESS: Primary	
14	there was some I'm sorry, I can't		14	origin. I'm not sure what that	
15	remember the author now. But there were		15	means.	
16	authors and investigators that did use		16	BY MR. HEGARTY:	
17	Johnson's Baby Powder in their studies,		17	Q. Well, what is what is	
18	and if they used those studies, and I		18	typically the primary location or origin	
19	used that for to provide biological		19	of high-grade serous?	
20	plausibility, then yes.		20	A. Do you mean in the ovary?	
21	Q. What studies were done		21	Q. I don't think I can ask it	
22 23	specific to Johnson's Baby Powder?		22 23	any different way.	
$\begin{vmatrix} 23 \\ 24 \end{vmatrix}$	MS. O'DELL: Object to the form.		23 24	A. Well, I don't quite	
24	101111.		Z 4	understand your question.	
		Page 191			Page 193
1	THE WITNESS: Of course all	Page 191	1	Q. What is the primary origin	Page 193
2	of the product documents.	Page 191	2	of clear cell carcinoma?	Page 193
2 3	of the product documents. Sorry, I'm having difficulty	Page 191	2 3	of clear cell carcinoma? MS. O'DELL: Object to the	Page 193
2 3 4	of the product documents. Sorry, I'm having difficulty recalling that the particular	Page 191	2 3 4	of clear cell carcinoma? MS. O'DELL: Object to the form.	Page 193
2 3 4 5	of the product documents. Sorry, I'm having difficulty recalling that the particular name. It's not a memory test.	Page 191	2 3 4 5	of clear cell carcinoma? MS. O'DELL: Object to the form. THE WITNESS: If you're	Page 193
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2 3 4 5 6 7	of the product documents. Sorry, I'm having difficulty recalling that the particular name. It's not a memory test. I'm sorry. BY MR. HEGARTY:	Page 191	2 3 4 5 6 7	of clear cell carcinoma? MS. O'DELL: Object to the form. THE WITNESS: If you're asking me the types, I don't recall the type of cell for clear	Page 193
2 3 4 5 6 7 8	of the product documents. Sorry, I'm having difficulty recalling that the particular name. It's not a memory test. I'm sorry. BY MR. HEGARTY: Q. With regard to ovarian	Page 191	2 3 4 5 6 7 8	of clear cell carcinoma? MS. O'DELL: Object to the form. THE WITNESS: If you're asking me the types, I don't recall the type of cell for clear cell carcinoma. Again, I'm not an	Page 193
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		Page 194			Page 196
1	etiologies I'm sorry, I had to refresh		1	Remove your microphones. The time	
2	my memory of your question.		2	is 12:22 p.m. Off the record.	
2 3 4 5 6	There are different		3	(Lunch break.)	
4	etiologies. Many and many of the		4	THE VIDEOGRAPHER: We are	
5	same, and so I think that if I may		5	back on the record. The time is	
6	gather my thoughts and refresh your		6	1:17 p.m.	
7	question.		7	BY MR. HEGARTY:	
8	So as I said, in terms of my		8	Q. Doctor, we're back on the	
9	opinion that the etiology in each of the		9	record. I want to go back to something	
10	subtypes of ovarian cancer is the same,		10	we talked about at the beginning, that	
11	there are many commonalities in		11	is, the initial call that you had from	
12	etiology being the underlying reason.		12	Ms. Emmel.	
13	There are many commonalities for the same		13	You mentioned that you	
14	cancers, including things like cancer		14	reviewed materials between the time of	
15	stem cells in ovarian cancer, which are		15	the call and the time that you agreed to	
16	now being identified in the literature as		16	serve as an expert witness. Do you	
17	a possibility for recurrence of ovarian		17	recall saying that?	
18	cancer.		18	A. I do recall.	
19	So, yes, there are definite		19	Q. What materials did you	
20	commonalities in terms of the induction		20	review?	
21 22	of ovarian types of cancer.		21 22	A. Just random, whatever I got	
23	Q. Well, my question was, is it your opinion that the etiologies of each		23	from the that came out using keywords of talc, talcum powder, ovarian cancer.	
24	subtype are the same?		24	Those were my initial keywords.	
24	subtype are the same:		Z 4	Those were my midal keywords.	
		Page 195			Page 197
1	MS. O'DELL: Objection to	Page 195	1	Q. Do you recall, sitting here	Page 197
	form.	Page 195	1 2	today, any particular articles, whether	Page 197
	form. THE WITNESS: I have	Page 195	_	today, any particular articles, whether by author name or by name of that initial	Page 197
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2 3 4 5 6 7	form. THE WITNESS: I have MS. O'DELL: Asked and answered. THE WITNESS: I have no opinion on that.	Page 195	2 3 4 5 6 7	today, any particular articles, whether by author name or by name of that initial search that you did before agreeing to serve as an expert? A. I looked at Ghio, G-I G-H-I-O. Did inhalation of talc and	Page 197
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	Pag	e 198			Page 200
1	Q. Did you do a more expansive		1	known about the product is consistent	
2	literature search and literature review		2	with a cause-and-effect relationship."	
3	after agreeing to serve as an expert		3	Do you see that where I'm	
4	witness?		4	reading?	
5	A. Of course.		5	A. I see where you're reading.	
6	Q. Did you form any opinions,		6	Q. Where does that definition	
7	though, from that initial search that you		7	of biological plausibility come from?	
8	performed?		8	A. It is my professional	
9	A. My opinion at that time was		9	opinion.	
10	that there was certainly I had a great		10	Q. Is there still biological	
11	deal of interest in the topic, that there		11	plausibility if what is known about a	
12	was certainly enough information and		12	substance and a disease is consistent	
13	enough evidence to provide that was		13	with no cause-and-effect relationship?	
14	provided by these publications that		14	MS. O'DELL: Object to the	
15	certainly that particles of the size of		15	form.	
16	talc can be can be translocated,		16	THE WITNESS: Biological	
17	migrated, and that at least from the		17	plausibility, to me, as stated	
18	lung, and so that there was biological		18	here and I will state it a	
19	plausibility for movement within the		19	different way, is that there is	
20	body.	2	20	actually literature and	
21	And I found it convincing	2	21	information, reliable, sound	
22	that I could that I could get involved	4	22	science that could that	
23	in this case and that I believe that	4	23	provides evidence that there is a	
24	there was, at that point with only	1	24	mechanism or mechanisms as well as	
	Pag	e 199			Page 201
1		e 199	1	underlying information that could	Page 201
1 2	superficial literature searching, that	e 199	1 2	underlying information that could prove the although it's not	Page 201
	superficial literature searching, that there was indeed room for an opinion.	e 199	1 2 3	prove the although it's not	Page 201
2	superficial literature searching, that	e 199	2		Page 201
2 3	superficial literature searching, that there was indeed room for an opinion. And that opinion being that there	e 199	2 3	prove the although it's not necessary in Hill's criteria, that	Page 201
2 3 4	superficial literature searching, that there was indeed room for an opinion. And that opinion being that there certainly was information provided that	e 199	2 3 4	prove the although it's not necessary in Hill's criteria, that could be used to prove a causal	Page 201
2 3 4 5	superficial literature searching, that there was indeed room for an opinion. And that opinion being that there certainly was information provided that could lead me to provide biological	e 199	2 3 4 5	prove the although it's not necessary in Hill's criteria, that could be used to prove a causal relationship.	Page 201
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	•	Page 202			Page 204
1	other Hill factors should be applied to		1	publication of yours, depositions or	
2	determine causality, other than in		2	expert reports in a litigation?	
3	addition to biological plausibility?		3	A. No. However, there are	
4	A. Well, I really can't say.		4	papers and regulatory regulatory	
5	Again, I know I know of Hill's work,		5	documents that are not considered	
6	and I know of his groundbreaking		6	published, published. If you mean	
7	publication. But again, I'm here to talk		7	peer-reviewed literature, that's one way	
8	about plausibility, not causation.		8	of publishing. But another way of	
9	Q. At the bottom of Page 2 you		9	publishing is also documents that are in	
10	say as part of your analysis you		10	a report.	
11	reviewed, "Depositions and numerous		11	And I have used reports in	
12	documents, internal memorandum and		12	my own publications, if they if they	
13	published and unpublished studies and		13	are accessible to me.	
14	testing results that I have found in my		14	Q. Have you ever in a published	
15	own searches of documents, documents		15	scientific article of yours cited to an	
16	provided by attorneys, and documents that		16	expert report from a doctor in a	
17	I requested." That's carrying over to		17	litigation?	
18	Page 3.		18	A. I'm sorry. I have to look	
19	Do you see that?		19	down at your question.	
20	 A. Toxicological studies. Are 		20	Not that I recall. But	
21	we talking about toxicological studies		21	that's not to say that I would not.	
22	including in vivo and in vitro?		22	If it was appropriate for	
23	Q. No. I'm looking at the very		23	the paper that I was writing, I would	
24	last sentence of the paragraph at the		24	certainly use it.	
		Page 203			Page 205
1	bottom of Page 2, carrying over to the	Page 203	1	Q. Can you identify any	Page 205
2	bottom of Page 2, carrying over to the top of Page 3?	Page 203	2	scientific group strike that.	Page 205
		Page 203			Page 205
2	top of Page 3?	Page 203	2	scientific group strike that. Before I ask you about causation, now I want to ask you about	Page 205
2 3 4 5	top of Page 3? A. In addition, I've reviewed depositions and numerous documents internal memorandum and published and	Page 203	2 3	scientific group strike that. Before I ask you about causation, now I want to ask you about biological plausibility. Can you cite	Page 205
2 3 4 5 6	top of Page 3? A. In addition, I've reviewed depositions and numerous documents internal memorandum and published and unpublished studies and testing results	Page 203	2 3 4 5 6	scientific group strike that. Before I ask you about causation, now I want to ask you about biological plausibility. Can you cite for me any scientific group, body, or	Page 205
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2 3 4 5 6 7 8	top of Page 3? A. In addition, I've reviewed depositions and numerous documents internal memorandum and published and unpublished studies and testing results that I have found in my own searches. Q. Correct. In any scientific	Page 203	2 3 4 5 6 7 8	scientific group strike that. Before I ask you about causation, now I want to ask you about biological plausibility. Can you cite for me any scientific group, body, or even paper that has concluded that there is biological plausibility between	Page 205
2 3 4 5 6 7 8 9	A. In addition, I've reviewed depositions and numerous documents internal memorandum and published and unpublished studies and testing results that I have found in my own searches. Q. Correct. In any scientific analysis that you have done, have you	Page 203	2 3 4 5 6 7 8 9	scientific group strike that. Before I ask you about causation, now I want to ask you about biological plausibility. Can you cite for me any scientific group, body, or even paper that has concluded that there is biological plausibility between perineal talc use and ovarian cancer?	Page 205
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		Page 206			Page 208
1	or talc and it's causation for ovarian	1 uge 200	1	MS. O'DELL: It's Exhibit 9.	1 ugo 200
	cancer. So they do in that document.		2	BY MR. HEGARTY:	
2 3	The systematic review and		3	Q. If you would look do you	
4	meta-analysis 2018 of Taher also speaks		4	have the Taher review?	
5	of it and reviews the 30 I think it's		5	A. I do.	
6	30 30 studies, of which there are 26		6	Q. What's that marked as?	
7	case-controls and studies, and I think		7	A. That is Exhibit 10.	
8	four cohort studies. And they do also		8	Q. Exhibit 10?	
9	conclude that, by looking at the		9	A. Based on your yellow mark,	
10	meta-analysis, that there are that		10	yes.	
11	there is causation associated that		11	Q. If you look at the abstract	
12	there is causation for talcum powder and		12	under the conclusion section, it	
13	ovarian cancer.		13	concludes that perineal use of talcum	
14	Q. Actually, Doctor, both		14	powder is a possible cause of human	
15	documents to which you reference conclude		15	ovarian cancer.	
16	only that perineal use of talcum powder		16	Do you see that?	
17	is a possible cause of ovarian cancer,		17	A. Excuse me. I dropped my	
18	correct?		18	microphone.	
19	MS. O'DELL: Object to the		19	Okay. Please repeat your	
20	form.		20	question. Your comment.	
21	THE WITNESS: They state		21	Q. Second page under the	
22	cause. And if you give me a		22	conclusion section. The conclusion of	
23	moment, I can look for it, within		23	the Taher article is, "The perineal use	
24	the document. So I'm looking at		24	of talc powder is a possible cause of	
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		Page 207			Page 209
1	the Health Canada document.	Page 207	1	human ovarian cancer," correct?	Page 209
1 2	the Health Canada document. Meta page I'm sorry.	Page 207	1 2	human ovarian cancer," correct? MS. O'DELL: Objection to	Page 209
		Page 207			Page 209
2	Meta page I'm sorry.	Page 207	2	MS. O'DELL: Objection to	Page 209
2 3	Meta page I'm sorry. Roman Numeral III, "Meta-analysis	Page 207	2 3	MS. O'DELL: Objection to form.	Page 209
2 3 4 5 6	Meta page I'm sorry. Roman Numeral III, "Meta-analysis of the available human studies in	Page 207	2 3 4 5 6	MS. O'DELL: Objection to form. THE WITNESS: I see that	Page 209
2 3 4 5	Meta page I'm sorry. Roman Numeral III, "Meta-analysis of the available human studies in the peer-reviewed literature indicate a consistent and statistically significant positive	Page 207	2 3 4 5	MS. O'DELL: Objection to form. THE WITNESS: I see that conclusion sentence.	Page 209
2 3 4 5 6 7 8	Meta page I'm sorry. Roman Numeral III, "Meta-analysis of the available human studies in the peer-reviewed literature indicate a consistent and statistically significant positive association between perineal	Page 207	2 3 4 5 6	MS. O'DELL: Objection to form. THE WITNESS: I see that conclusion sentence. BY MR. HEGARTY: Q. Nowhere in here do they say that talcum powder causes ovarian cancer,	Page 209
2 3 4 5 6 7 8 9	Meta page I'm sorry. Roman Numeral III, "Meta-analysis of the available human studies in the peer-reviewed literature indicate a consistent and statistically significant positive association between perineal exposure to talc and ovarian	Page 207	2 3 4 5 6 7 8 9	MS. O'DELL: Objection to form. THE WITNESS: I see that conclusion sentence. BY MR. HEGARTY: Q. Nowhere in here do they say that talcum powder causes ovarian cancer, correct?	Page 209
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		Page 210			Page 212
1	reviewing it anywhere where they say		1	letter, information. And I specifically	- 1.61 - 1-1
2	talcum powder causes ovarian cancer?		2	asked that same question.	
3	A. I cannot		3	Q. Now, are you relying on the	
4	MS. O'DELL: Excuse me. And		4	fact it's been peer reviewed for your	
5	you're referring specifically to		5	opinions in this case?	
6	Exhibit 10?		6	A. I'm relying on the science.	
7	MR. HEGARTY: Correct.		7	Q. Well, are you relying on	
8	MS. O'DELL: The Taher		8	whether on what plaintiffs' counsel	
9	paper?		9	told you as far as whether it's been peer	
10	THE WITNESS: I can't say it		10	reviewed?	
11	without looking at the paper.		11	MS. O'DELL: Object to the	
12	BY MR. HEGARTY:		12	form.	
13	Q. Has the Taher paper been		13	THE WITNESS: That is what	
14	peer reviewed?		14	I'm trying to look, whether there	
15	A. The Taher paper has is a		15	is an acknowledgment and whether	
16	document that, yes, has been peer		16	there is a statement within it	
17	reviewed. To my knowledge.		17	which says it's peer reviewed.	
18	Q. Okay. What publication peer		18	It it's stated that in	
19	reviewed that document?		19	order for this in order for a	
20	A. Excuse me?		20	document such as this, and again	
21	Q. Who peer reviewed that		21	it depends on what you mean by	
22	document?		22	peer review, whether it's a	
23	A. I have I have no		23	community or whether it's the	
24	knowledge of that.		24	government. The government has	
	1	Page 211			Page 213
1	Q. How do you know it's been	Page 211	1	looked at this, and they were	Page 213
2	Q. How do you know it's been peer reviewed?	Page 211	2	submitted by Health Canada, and as	Page 213
	Q. How do you know it's been peer reviewed? A. The the plaintiff lawyers	Page 211	2 3	submitted by Health Canada, and as of now it's been submitted for	Page 213
2 3 4	Q. How do you know it's been peer reviewed? A. The the plaintiff lawyers have shown me a document, a cover letter,	Page 211	2 3 4	submitted by Health Canada, and as of now it's been submitted for peer review, but it was looked at	Page 213
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	Pag	ge 214			Page 216
1	methodology?		1	or paper that has concluded that there is	
2	MS. O'DELL: Object to the		2	biologic plausibility between talcum	
3	form.		3	powder use and ovarian cancer?	
4	THE WITNESS: It's		4	A. Biological plausibility, in	
5	something if there is based		5	my case, and for my review and for my	
6	on my opinion of the study design,		6	report, I'm looking at the inflammation	
7	the information, the science, if		7	as a biological plausibility.	
8	it if it needs to be stated, if		8	There is data going back and	
9	the science needs to be out there,		9	scientific reviews and publications going	
10	then I have cited numerous times	1	0	back to the '60s which implicate	
11	unpublished information.	1	1	inflammation as a biological mediator for	
12	BY MR. HEGARTY:	1	2	cancer.	
13	Q. Do you understand that for	1	3	Q. Doctor, listen to my	
14	purposes that the strike that.	1	4	question. My question is very specific	
15	Do you understand that the		5	to talc and the biologic plausibility	
16	Health Canada risk assessment is a		6	between talc and ovarian cancer.	
17	only a draft assessment at this point in		7	Can you cite for me, besides	
18	time?		8	the Canadian documents you cited, any	
19	A. It is going to be reviewed,		9	scientific group, body or organization	
20	yes. I understand that it it is a		20	that has concluded that there is biologic	
21	draft assessment. I also understand that		21	plausibility between talcum powder use	
22	it has gone through scrutiny by both		22	and ovarian cancer?	
23	Health Canada and Canadian EPA.	5	23	A. There is biological	
24	Q. Do you understand that		24	plausibility and there is evidence that	
	Q. Do you undorsuma mar	_		plausiemby and there is extuence that	
	Pag	ge 215			Page 217
1		ge 215	1	in Stan 1, that tale causes inflammation	Page 217
1 2	there's a comment period that's going on		1	in Step 1, that talc causes inflammation. In Step 2, that inflammation is a	Page 217
2	there's a comment period that's going on right now?			In Step 2, that inflammation is a	Page 217
2 3	there's a comment period that's going on right now? A. I understand that, yes.		3	In Step 2, that inflammation is a well-known and well-established factor	Page 217
2 3 4	there's a comment period that's going on right now? A. I understand that, yes. Q. And that this is not a final		3	In Step 2, that inflammation is a well-known and well-established factor in in cancer.	Page 217
2 3 4 5	there's a comment period that's going on right now? A. I understand that, yes. Q. And that this is not a final statement?		3 4 5	In Step 2, that inflammation is a well-known and well-established factor in in cancer. Q. Doctor, you are not	Page 217
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1		Page 218			Page 220
1	Q. Okay. Cite for me any		1	biological mechanism that everyone	
2	scientific group, body or organization		2	including the National Toxicology, the	
3	who has said that.		3	IARC, the National Academy of Science,	
4	A. That is throughout		4	EPA, all recognize.	
5	literature. If you go back to 1960 and		5	Q. Cite for me any group.	
6	talk about the Vertel and the role of		6	Again, you are not answering my question.	
7	inflammation in cancer, and numerous		7	My answer	
8	other publications since that, if you		8	A. Okay.	
9	look at talc is used to induce		9	Q my question is other than	
10	pleurodesis because of its inflammatory		10	the Canadian groups you've cited, cite	
11	responsiveness.		11	for me any group by name who has reached	
12	Q. Doctor, you still are not		12	the same opinion as you about biologic	
13	answering my question. My question is		13	plausibility.	
14	name a scientific body, organization or		14	MS. O'DELL: Objection to	
15	group who has concluded, as you have		15	form. Other than those she just	
16	done, or you say you do in your paper,		16	listed in her last answer?	
17	that there is biologic plausibility		17	MR. HEGARTY: Well, she	
18	between talc and ovarian cancer.		18	didn't list any. I think the	
19	MS. O'DELL: Objection to		19	record shows that.	
20	the form.		20	MS. O'DELL: Yes, she did.	
21	THE WITNESS: I gave you		21	MR. HEGARTY: Which ones did	
22	BY MR. HEGARTY:		22	she list?	
23	Q. Cite for me the groups.		23	MS. O'DELL: NTP. IARC.	
24	MS. O'DELL: Excuse me. Let		24	MR. HEGARTY: Okay. Are you	
		Page 219			Page 221
1	me objection to form. Asked		1	going on the record to say NTP has	
2	and answered. The doctor has		2	concluded that talcum powder use	
3	answered your question. You may		3	is a biologic	
4	not like the answer, but she's		4	plausibility/plausible cause of	
5			_		
1 -	answered it.		5	ovarian cancer?	
6	BY MR. HEGARTY:		6	THE WITNESS: We're not	
7	BY MR. HEGARTY: Q. Cite for me the groups by		6 7	THE WITNESS: We're not MS. O'DELL: She was talking	
7 8	BY MR. HEGARTY: Q. Cite for me the groups by name.		6 7 8	THE WITNESS: We're not MS. O'DELL: She was talking about inflammation and cancer, as	
7 8 9	BY MR. HEGARTY: Q. Cite for me the groups by name. MS. O'DELL: Objection to		6 7 8 9	THE WITNESS: We're not MS. O'DELL: She was talking about inflammation and cancer, as you well know.	
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	•	Page 222			Page 224
1	not.		1	I've shown, whether it's in air pollution	
2	BY MR. HEGARTY:		2	or whether it's in tobacco products or	
3	Q. Listen to my question.		3	nicotine products or World Trade Center	
4	Can you cite for me any		4	dust or metal inhalation or nanoparticle	
5	group besides the Canadian group who has		5	inhalation. They all give biological	
6	concluded that there is biologic		6	plausibility statements for the	
7	plausibility, who has made a statement		7	observations that have been found in my	
8	that there is biologic plausibility		8	laboratory.	
9	between talcum powder use and ovarian		9	Q. Where have you ever	
10	cancer?		10	published step-by-step methodology for	
11	A. I'm telling as I said		11	how you go about determining whether	
12	before, you're leaving out the word		12	there is biological plausibility between	
13	"inflammation."		13	a substance and a disease?	
14	Q. Doctor, you you need to		14	A. I use my professional	
15	answer the question I ask.		15	judgment.	
16	A. I I		16	Q. Have you ever published that	
17	Q. Your counsel can come back		17	professional judgment?	
18	and ask you that question. I under I		18	MS. O'DELL: Objection to	
19	want to know the name of any organization		19	form.	
20	by name who has concluded that there is		20	THE WITNESS: I don't think	
21	biologic plausibility between perineal		21	that would be publishable	
22	use of talc and ovarian cancer.		22	material.	
23	A. Anyone		23	BY MR. HEGARTY:	
24	MS. O'DELL: Other than the		24	Q. In the end, Doctor, your	
				, , , ,	
		Page 223			Page 225
1	ones she she's listed.	Page 223	1	report is your subjective take on the	Page 225
2	THE WITNESS: Anyone that	Page 223	2	studies, correct?	Page 225
	THE WITNESS: Anyone that you say any I'll do it	Page 223		studies, correct? MS. O'DELL: Objection to	Page 225
2 3 4	THE WITNESS: Anyone that you say any I'll do it again. National Toxicology	Page 223	2 3 4	studies, correct? MS. O'DELL: Objection to form.	Page 225
2 3 4 5	THE WITNESS: Anyone that you say any I'll do it again. National Toxicology Program. IARC. Institute of	Page 223	2 3	studies, correct? MS. O'DELL: Objection to form. BY MR. HEGARTY:	Page 225
2 3 4 5 6	THE WITNESS: Anyone that you say any I'll do it again. National Toxicology Program. IARC. Institute of Medicine.	Page 223	2 3 4 5 6	studies, correct? MS. O'DELL: Objection to form. BY MR. HEGARTY: Q. I mean, you don't speak for	Page 225
2 3 4 5 6 7	THE WITNESS: Anyone that you say any I'll do it again. National Toxicology Program. IARC. Institute of Medicine. They may not say the	Page 223	2 3 4 5	studies, correct? MS. O'DELL: Objection to form. BY MR. HEGARTY: Q. I mean, you don't speak for any scientific group, do you?	Page 225
2 3 4 5 6 7 8	THE WITNESS: Anyone that you say any I'll do it again. National Toxicology Program. IARC. Institute of Medicine. They may not say the sentence you are you are	Page 223	2 3 4 5 6 7 8	studies, correct? MS. O'DELL: Objection to form. BY MR. HEGARTY: Q. I mean, you don't speak for any scientific group, do you? A. I'm an expert toxicologist,	Page 225
2 3 4 5 6 7 8 9	THE WITNESS: Anyone that you say any I'll do it again. National Toxicology Program. IARC. Institute of Medicine. They may not say the sentence you are you are implying or you're stating. But	Page 223	2 3 4 5 6 7 8 9	studies, correct? MS. O'DELL: Objection to form. BY MR. HEGARTY: Q. I mean, you don't speak for any scientific group, do you? A. I'm an expert toxicologist, recognized clearly by the Society of	Page 225
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Page 226 1 MR. HEGARTY: I'll withdraw 2 the question. 3 BY MR. HEGARTY: 3 THE WITNESS: This is my	
2 the question. 2 You can answer.	li li
U	
4 Q. Doctor, do you speak for the 4 opinion based upon my systematic	
5 Society of Toxicology for purposes of 5 review of all the scientific	
6 your opinions in your report? 6 literature. And they by the	
7 A. No. 7 nature of hiring me, they have	
8 Q. Do you speak for any 8 approved of my my opinions.	
9 society, any toxicology society 9 Maybe not specifically in this	
10 society for purposes of your opinions? 10 case, but they would not have	
11 A. You didn't let me finish my 11 hired me or kept me for 35 years	
12 answer. 12 if they did not agree that I was a	
I do not speak for the 13 well-known established	
14 society of toxicology. But I am a 14 toxicologist whose opinions are	
15 recognized toxicology expert, recognized 15 based in my professional judgment.	
16 by the Society of Toxicology as an 16 BY MR. HEGARTY:	l
17 expert. And I have written this report 17 Q. Did you tell the university,	J
18 based upon literature, scientific 18 New York University, of your opinions in	
19 evidence, and my professional judgment. 19 this case?	
20 Q. What society has recognized 20 A. I did not.	
21 you as an expert in talc and ovarian 21 Q. Have you told them that	
22 cancer? 22 you're an expert witness for plaintiffs	
23 A. I'm recognized as expert in 23 in this litigation?	
24 toxicology. 24 A. I have, yes.	
Page 227	Page 229
1 Q. What society has 1 Q. Have you reported, in your	
2 A. Society of Toxicology. 2 financial disclosure, the money that	
3 Q. Has the Society of 3 you've made in this litigation?	
4 Toxicology recognized you as an expert in 4 A. Up until we are asked	
5 talc and ovarian cancer? 5 that question we have to fill out	
6 MS. O'DELL: Objection to 6 reports on transparency and conflicts of	
7 form. 7 interest. And I think the last time I	
8 THE WITNESS: I was 8 did it was in November of 2018. And I	
9 recognized as an expert in tox and 9 reported up to that time, yes. We are	J
ovarian cancer and talc by the 10 required to do that and, yes, I am	J
very basis that I'm sitting here. 11 completely transparent.	J
12 BY MR. HEGARTY: 12 So any money that I've made	J
Q. You don't speak for your 13 since November, or since the filing of	J
14 university, do you? 14 the confidentiality agreement has not	J
15 A. No one no one speaks 15 been reported but will be coming in March	l
16 directly for the university. But what we 16 or April.	l
17 say, we understand our paychecks come 17 Q. You don't speak for any	J
18 from the university, and we follow within 18 journal for the purpose of your report,	J
19 the university and the medical school 19 do you?	J
20 guidelines. 20 A. For purposes of this report	J
21 Q. Are your opinions in this 21 I do not speak for journals. But I do	J
100 1 11 037 77 177 1 0 10 10 10 10 10 11 11 11 11	l
22 case the opinions of New York University? 22 speak for journals because I'm an editor,	The state of the s
22 case the opinions of New York University? 23 A. This is my 24 MS. O'DELL: Objection to 22 speak for journals because I'm an editor, 23 I'm an associate editor and on the 24 editorial boards for numerous	

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		Page 230			Page 232
1	environmental health and toxicology	1 age 230	1	several, there are case-control	1 age 232
2	journals.		2	studies as well as cohort studies	
3	Q. At the top of Page 3 of your		3	which showed negative	
4			4	associations.	
	report, you say in the first full		5	BY MR. HEGARTY:	
5	paragraph that you considered the studies		_		
6	that did not find an increased risk of		6	Q. You did not cite any of	
7	ovarian cancer with talc use.		7	those in your report, though, did you?	
8	Do you see that?		8	A. No. What I said I'm	
9	MS. O'DELL: What page are		9	sorry. Let me try and make it clear.	
10	you on? I'm sorry.		10	Yes, those meta-analyses	
11	BY MR. HEGARTY:		11	were included in the report or I need	
12	Q. Page 3.		12	to find the names. Systematic review	
13	A. I'm sorry. I know we're on		13	that I cited was	
14	Page 3.		14	P-E-N-N-I-N-K-I-L-A-M-P-I 2018. And that	
15	Q. The first full paragraph.		15	was a meta-analysis which reviewed the	
16	A. My opinions below?		16	epidemiological case-control and cohort	
17	Q. The first full paragraph.		17	studies which showed that there were	
18	A. My opinions below. "My		18	studies that had negative associations.	
19	opinions below"		19	Q. Is that the only reference	
20	Q. At the very at the very		20	that you included in your report, to	
21	end, you say you considered those studies		21	studies that did not find an increased	
22	that did not find an increased risk.		22	risk of ovarian cancer with talc use?	
23			23		
	Do you see that?			MS. O'DELL: Object to the	
24	A. I'm reading it.		24	form.	
		Page 231			Page 233
1	Yes, okay. You were reading	Page 231	1	THE WITNESS: No. No.	Page 233
1 2	Yes, okay. You were reading in the middle of the sentence. "To my	Page 231	1 2	THE WITNESS: No. No. MS_O'DELL: Excuse me	Page 233
2	in the middle of the sentence. "To my	Page 231	2	MS. O'DELL: Excuse me.	Page 233
2 3	in the middle of the sentence. "To my knowledge, I considered and evaluated the	Page 231	2 3	MS. O'DELL: Excuse me. Object to the form.	Page 233
2 3 4	in the middle of the sentence. "To my knowledge, I considered and evaluated the majority of all available relevant	Page 231	2 3 4	MS. O'DELL: Excuse me. Object to the form. THE WITNESS: No. Under the	Page 233
2 3 4 5	in the middle of the sentence. "To my knowledge, I considered and evaluated the majority of all available relevant studies in the process of evaluating the	Page 231	2 3 4 5	MS. O'DELL: Excuse me. Object to the form. THE WITNESS: No. Under the animal models on Page 13, there	Page 233
2 3 4 5 6	in the middle of the sentence. "To my knowledge, I considered and evaluated the majority of all available relevant studies in the process of evaluating the literature, including those that reported	Page 231	2 3 4 5 6	MS. O'DELL: Excuse me. Object to the form. THE WITNESS: No. Under the animal models on Page 13, there were with rats that were	Page 233
2 3 4 5 6 7	in the middle of the sentence. "To my knowledge, I considered and evaluated the majority of all available relevant studies in the process of evaluating the literature, including those that reported an elevated risk of ovarian cancer with	Page 231	2 3 4 5 6 7	MS. O'DELL: Excuse me. Object to the form. THE WITNESS: No. Under the animal models on Page 13, there were with rats that were exposed by the peritoneum	Page 233
2 3 4 5 6 7 8	in the middle of the sentence. "To my knowledge, I considered and evaluated the majority of all available relevant studies in the process of evaluating the literature, including those that reported an elevated risk of ovarian cancer with exposure to talc and those where other	Page 231	2 3 4 5 6 7 8	MS. O'DELL: Excuse me. Object to the form. THE WITNESS: No. Under the animal models on Page 13, there were with rats that were exposed by the peritoneum perineum, sorry, to either talc or	Page 233
2 3 4 5 6 7 8 9	in the middle of the sentence. "To my knowledge, I considered and evaluated the majority of all available relevant studies in the process of evaluating the literature, including those that reported an elevated risk of ovarian cancer with exposure to talc and those where other chemicals were reported within talc-based	Page 231	2 3 4 5 6 7 8 9	MS. O'DELL: Excuse me. Object to the form. THE WITNESS: No. Under the animal models on Page 13, there were with rats that were exposed by the peritoneum perineum, sorry, to either talc or no treatment. And while they did	Page 233
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	Page 23	!		Page 236
1	A. Sorry. Repeat the question.	$\begin{bmatrix} 1 \\ 1 \end{bmatrix}$	showing that talc was not toxic to cells?	
2	Repeat the question, please.	2	A. I read comparison studies.	
3	Q. Sure. So that is an example	3	Let me please find that, the exact names.	
4	of a study that, in your opinion, does	4	Q. Let me withdraw the	
5	not show an increased risk of ovarian	5	question. Doctor, in your opinion is	
6	cancer with talc use?	6	talc mutagenic?	
7	MS. O'DELL: Objection to	7	A. How do you define	
8	form. Go ahead. Sorry.	8	"mutagenic"?	
9	THE WITNESS: Sorry.	9	Q. Doctor, what's your	
10	This is a study which shows	10	mutagenic is mutation to genes. Does	
11	biological plausibility by showing	11	talc mutate genes?	
12	that there is a foreign body	12	A. Talc leads to changes in	
13	reaction and inflammatory	13	gene expression which can be inferred as	
14	response. However, it does not	14	a mutation. However, when you talk about	
15	show that there was any change in	15	mutation, you have many different	
16	neoplasm or any induction of	16	mechanisms of mutation. Mutation can	
17	neoplasms or cancer. BY MR. HEGARTY:	17	occur as a result of a genotoxic or	
18 19		18	direct impact on DNA, or it can occur as	
20	Q. Did you read any cell study that showed that talc is not cytotoxic?	19 20	a result of changes in the epigenome,	
21	A. Can you please explain what	21	which leads to changes in expression of the gene.	
22	you mean by cytotoxic? I want to answer	22	Q. Does talc directly mutate	
23	the question as you understand it.	23	genes?	
24	Q. What is your definition of	24	A. Talc has been shown to	
	Q. What is your definition of	ļ	The rate has been shown to	
1	Page 23	5		Page 237
1	cytotoxicity?	1	cause to cause changes in particular	Page 237
2	cytotoxicity? A. I'd like to answer the	1 2	enzymes in the gene expression. So a	Page 237
2 3	cytotoxicity? A. I'd like to answer the question that you're asking me.	1 2 3	enzymes in the gene expression. So a mutation yes, it has been it has	Page 237
2 3 4	cytotoxicity? A. I'd like to answer the question that you're asking me. Q. I'm asking you your	1 2 3 4	enzymes in the gene expression. So a mutation yes, it has been it has been shown for mutation. But I just	Page 237
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	cytotoxicity? A. I'd like to answer the question that you're asking me. Q. I'm asking you your definition. The way a deposition works is I ask you questions. You don't ask me questions. MS. O'DELL: Don't be be courteous to the witness, please. MR. HEGARTY: I am. THE WITNESS: I appreciate that. I just want to, as a toxicologist, the word "cytotoxicity" carries many meanings. BY MR. HEGARTY: Q. What is your definition basic definition of cytotoxicity? A. There are many meanings. Cytotoxicity taken literally meaning toxicity to a cell. Cyto, cell;	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	enzymes in the gene expression. So a mutation yes, it has been it has been shown for mutation. But I just need I need the attorneys to understand that there are many ways to mutate a cell, not only can you do it by chemical agent, but you can also it occurs with aging. So you do not need I'm sorry. You do not need genotoxicity to produce mutagenesis. Now, if you look at many different assays such as the Ames assay which uses bacteria to assess mutagenicity, you are not going to see that as a possibility for talc because the bacteria cannot engulf the particle and the particle needs to be ingested in order to show mutagenesis. Q. Doctor, on Page 4 above your	Page 237

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		D 220			D 240
		Page 238	1		Page 240
	size for talc.		1	THE WITNESS: Establishing	
2	A. That's correct.		2	my biological plausibility was	
3	Q. Is knowing particle size		3	was travel is traveling through	
4	part of your methodology for your		4	migration and the ability for a	
5	opinions in your report?		5	for the powder to migrate or the	
6	A. I'm sorry. I don't		6 7	constituents to migrate. And	
7	understand what you mean by was it part		8	and also the ability to be	
8 9	of my methodology.		9	inflammatory. BY MR. HEGARTY:	
10	Q. Well, what is the threshold size of a talc particle to establish		10	Q. Well, what size what size	
11	biologic plausibility?		11	of particle what size must the	
12	MS. O'DELL: Object to form.		12	particle be to cause inflammation that	
13	THE WITNESS: I don't think		13	leads to ovarian cancer?	
14	you can answer that question.		14	A. Particles of any	
15	In let me say this.		15	MS. O'DELL: Objection to	
16	In doing my methodology and		16	form. You may go.	
17	accumulating literature, I as I		17	THE WITNESS: Particles of	
18	said, I binned or siloed		18	any size can cause inflammation.	
19	individual things.		19	BY MR. HEGARTY:	
20	And one of the silos and one		20	Q. What about talc particles,	
21	of the categories that I that I		21	what size of talc particle must there be	
22	wanted to read was size. Size		22	to cause inflammation?	
23	makes a very big difference in		23	A. Talc particles of any size	
24	particles, and for example, if the		24	can cause inflammation.	
24	particles, and for example, if the		27	can cause initiatination.	
		Page 239			Page 241
1	particle is greater than	Page 239	1	Q. And is there	Page 241
1 2	particle is greater than 10 microns it's going to be what	Page 239	1 2	Q. And is thereA. However, there are	Page 241
		Page 239			Page 241
2	10 microns it's going to be what	Page 239	2	A. However, there are	Page 241
2 3	10 microns it's going to be what we call inhalable as opposed to	Page 239	2 3	A. However, there are differences, from reading the literature,	Page 241
2 3 4	10 microns it's going to be what we call inhalable as opposed to respirable. So where a particle	Page 239	2 3 4	A. However, there are differences, from reading the literature, that indicates that the smaller the	Page 241
2 3 4 5	10 microns it's going to be what we call inhalable as opposed to respirable. So where a particle can go in terms of, and now I'm	Page 239	2 3 4 5	A. However, there are differences, from reading the literature, that indicates that the smaller the particle the greater the inflammation.	Page 241
2 3 4 5 6	10 microns it's going to be what we call inhalable as opposed to respirable. So where a particle can go in terms of, and now I'm using the lung as an example, where the particle can go will depend upon its size and how long	Page 239	2 3 4 5 6	A. However, there are differences, from reading the literature, that indicates that the smaller the particle the greater the inflammation. And that's universally	Page 241
2 3 4 5 6 7	10 microns it's going to be what we call inhalable as opposed to respirable. So where a particle can go in terms of, and now I'm using the lung as an example, where the particle can go will	Page 239	2 3 4 5 6 7	A. However, there are differences, from reading the literature, that indicates that the smaller the particle the greater the inflammation. And that's universally known.	Page 241
2 3 4 5 6 7 8	10 microns it's going to be what we call inhalable as opposed to respirable. So where a particle can go in terms of, and now I'm using the lung as an example, where the particle can go will depend upon its size and how long	Page 239	2 3 4 5 6 7 8	A. However, there are differences, from reading the literature, that indicates that the smaller the particle the greater the inflammation. And that's universally known. Q. Was part of your analysis,	Page 241
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		Page 242			Page 244
1	size which is important in		1	Q. Well, fibrous talc is only	-
2	producing an inflammation. It is		2	tale that grows in an in an	
3	many parameters. And so there was		3	asbestiform habit, correct?	
4	no one size or one cutoff that		4	A. Fibrous talc refers to the	
5	induces inflammation or does not.		5	shape and the longitudinal direction of	
6	It's chemical composition, it's		6	the fibers. That's what fibrous talc is,	
7	shape of the particle, it's		7	and asbestiform refers to the same	
8	bioavailability of the particle.		8	longitudinal pattern of the particular	
9	BY MR. HEGARTY:		9	fibrils and to form a bundle or to	
10	Q. Can you cite for me the		10	form a fiber.	
11	the particle size for Johnson's Baby		11	Q. So you don't agree that	
12	Powder over the last 120 years?		12	fibrous tale is only tale that grows in	
13	MS. O'DELL: Objection to		13	an asbestiform habit?	
14	form.		14	MS. O'DELL: Objection to	
15	THE WITNESS: I'm not sure I		15	form.	
16	can cite it over the last		16	THE WITNESS: Fibrous talc	
17	120 years. But I can tell you		17	by its very nature is saying that	
18	from the information in the		18	it grows in an asbestiform-like	
19	documents that I that I		19	phenotype or asbestiform-like	
20	reviewed, that particle size goes		20	morphology. That's the nature of	
21	from above 50 microns,		21	asbestiform.	
22	micrometers, microns, down to		22	Asbestiform is a form.	
23	0.3 micron with an average size of		23	BY MR. HEGARTY:	
24	10.5 to 11.5 depending on the		24	Q. You state in the middle	
		Page 243			Page 245
1	document that you read. So an	Page 243	1	paragraph, in that section, that talc in	Page 245
2	average or median size.	Page 243	1 2	its fibrous form has been classified by	Page 245
	average or median size. BY MR. HEGARTY:	Page 243		its fibrous form has been classified by IARC as Group I, a known carcinogen.	Page 245
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	average or median size. BY MR. HEGARTY: Q. So did you did you do analysis for biologic plausibility purposes of every size of talc particle? MS. O'DELL: Objection. Asked and answered. THE WITNESS: Did I do analysis I no, as I said, I gave you the size of the of the talcum that was reviewed, that I reviewed within the documents. BY MR. HEGARTY: Q. You, on on page strike that. Under the section Fibrous Talc, you say that is it your testimony that strike that. Is it your opinion that asbestiform talc is also called fibrous		2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	its fibrous form has been classified by IARC as Group I, a known carcinogen. That's not correct, is it? MS. O'DELL: Objection to form. THE WITNESS: I'm sorry, could you say again? BY MR. HEGARTY: Q. Well, you agree that only talc containing asbestiform fibers has been classified as Group I by IARC, correct? A. Are you referring to in 2010 IARC expanded or I'm sorry, in its fibrous form, talc has been classified as a Group I known carcinogen? Q. Correct. A. Asbestiform fibers have been listed by IARC as a carcinogen. Q. A talc containing	Page 245

	Page 2	46		Page 248
1	correct?	1	Can you cite for me any published medical	<i>3.</i> 10
2	A. It's not the only one that's	2	literature finding asbestiform talc in	
3	been associated with it, but for the	3	Johnson's Baby Powder?	
4	purpose of my report that I put down,	4	A. Page 6 of my report speaks	
5	it's the asbestiform that has been	5	of the Crowley report, and that the fiber	
6	classified by the IARC.	6	content ranged from 8 percent to	
7	Q. Well, it's talc containing	7	30 percent. And that Pooley and Rohl	
8	asbestiform fibers, correct?	8	analyzed 27 talc powders and detected	
9	MS. O'DELL: Objection to	9	tremolite fibers in three samples.	
10	form.	10	Q. Is it your testimony that	
11	THE WITNESS: It's it's	11	Crowley Crowley's article refers to	
12	fibrous talc.	12	Johnson's Baby Powder?	
13	BY MR. HEGARTY:	13	A. I would have to see the	
14	Q. Is that that's your	14	article.	
15	your it's your opinion that IARC's	15	Q. How about Pooley and Rohl,	
16	designation in 2012 is of asbestiform	16	do they refer to Johnson's Baby Powder?	
17	talc?	17	A. I would have to see the	
18	A. Their designations is	18	article.	
19	form is talc fibers, which are	19	Q. In the end, for purposes of	
20	asbestiform in nature.	20	your opinion as to asbestos and talc,	
21	Q. Do you cite to any published	21	you're relying on the report of Longo and	
22	data in the medical literature that	22	Rigler, correct?	
23	asbestiform talc has been found in	23	MS. O'DELL: Objection to	
24	Johnson's Baby Powder?	24	form.	
	Page 2	47		Page 249
1			THE WITNESS: No. I rely on	Page 249
1 2	A. I'm sorry.	1	THE WITNESS: No, I rely on the scientific literature, not on	Page 249
2	A. I'm sorry. You cite do you cite to	1 2	the scientific literature, not on	Page 249
2 3	A. I'm sorry. You cite do you cite to any published data in the medical	1 2 3	the scientific literature, not on any one paper. I used weight of	Page 249
2 3 4	A. I'm sorry. You cite do you cite to any published data in the medical literature that asbestiform talc	1 2 3 4	the scientific literature, not on any one paper. I used weight of evidence to come to my opinion.	Page 249
2 3	A. I'm sorry. You cite do you cite to any published data in the medical	1 2 3	the scientific literature, not on any one paper. I used weight of evidence to come to my opinion. BY MR. HEGARTY:	Page 249
2 3 4 5	A. I'm sorry. You cite do you cite to any published data in the medical literature that asbestiform talc The documents, the published documents within Johnson & Johnson and	1 2 3 4 5	the scientific literature, not on any one paper. I used weight of evidence to come to my opinion. BY MR. HEGARTY: Q. Did you include in your	Page 249
2 3 4 5 6 7	A. I'm sorry. You cite do you cite to any published data in the medical literature that asbestiform talc The documents, the published documents within Johnson & Johnson and the Longo report, Longo's 2017, as well	1 2 3 4 5 6	the scientific literature, not on any one paper. I used weight of evidence to come to my opinion. BY MR. HEGARTY: Q. Did you include in your weighing of evidence the expert reports	Page 249
2 3 4 5 6 7 8	A. I'm sorry. You cite do you cite to any published data in the medical literature that asbestiform talc The documents, the published documents within Johnson & Johnson and	1 2 3 4 5 6 7	the scientific literature, not on any one paper. I used weight of evidence to come to my opinion. BY MR. HEGARTY: Q. Did you include in your weighing of evidence the expert reports of Longo and Rigler?	Page 249
2 3 4 5 6 7 8 9	A. I'm sorry. You cite do you cite to any published data in the medical literature that asbestiform talc The documents, the published documents within Johnson & Johnson and the Longo report, Longo's 2017, as well as 2018 supplement from December, shows asbestiform fibers.	1 2 3 4 5 6 7 8	the scientific literature, not on any one paper. I used weight of evidence to come to my opinion. BY MR. HEGARTY: Q. Did you include in your weighing of evidence the expert reports of Longo and Rigler? A. I read the Longo supplement	Page 249
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2 3 4 5 6 7 8 9 10 11 12	A. I'm sorry. You cite do you cite to any published data in the medical literature that asbestiform talc The documents, the published documents within Johnson & Johnson and the Longo report, Longo's 2017, as well as 2018 supplement from December, shows asbestiform fibers. Q. My question though is can you cite any data published in the medical literature that has found	1 2 3 4 5 6 7 8 9 10 11 12	the scientific literature, not on any one paper. I used weight of evidence to come to my opinion. BY MR. HEGARTY: Q. Did you include in your weighing of evidence the expert reports of Longo and Rigler? A. I read the Longo supplement 2018 after I wrote the report. Q. For purposes for purposes of the opinions again in this case, do	Page 249
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. I'm sorry. You cite do you cite to any published data in the medical literature that asbestiform talc The documents, the published documents within Johnson & Johnson and the Longo report, Longo's 2017, as well as 2018 supplement from December, shows asbestiform fibers. Q. My question though is can you cite any data published in the medical literature that has found asbestiform talc in Johnson's Baby Powder? A. I thought I just did in terms of the Longo report. Q. Is the Longo report published in the medical literature? A. It's I'm not sure whether it's accessible in the medical medical literature at this point. But I'm sure it could be gathered.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	the scientific literature, not on any one paper. I used weight of evidence to come to my opinion. BY MR. HEGARTY: Q. Did you include in your weighing of evidence the expert reports of Longo and Rigler? A. I read the Longo supplement 2018 after I wrote the report. Q. For purposes for purposes of the opinions again in this case, do you rely in any way on the Longo and Rigler reports? MS. O'DELL: Objection to form. THE WITNESS: I'm not sure I understand your question. As I said, I wrote the report on November 16th. I read the Longo	Page 249
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		Page 250			Dogo 252
1	the the MDI report of Longo and	1 age 230	1	use the polarized light	Page 252
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	the the MDL report of Longo and Rigler, correct?		1 2	use, the polarized light microscopy and the TEM all seem to	
3	A. What page is that please?		3	be the way he describes it. His	
4	Q. At the end of Exhibit B.		4	methodologies were spot on in	
5	A. I okay.		5	terms of what other people do.	
6	Excuse me. I referred to		6	BY MR. HEGARTY:	
7	Longo on page there is no page.		7	Q. Are you an expert in XRD?	
8	Sorry.		8	A. As I stated, I worked with	
9	The cosmetic talc in the		9	people who used the instrumentation. An	
10	Lancet and cosmetic talc in and		10	expert, again, I'm not sure what you mean	
11	ovarian cancer in the Lancet. Those are		11	by expert. Have I done XRD on my own,	
12	very early papers which I which I		12	no. But in our department we have	
13	reviewed. Those papers were considered.		13	numerous people who who use that	
14	The latest papers from Longo were not		14	instrumentation.	
15	considered in my report.		15	Q. Are you an expert in TEM?	
16	Q. Are you talking about the		16	A. I have done TEM for my Ph.D.	
17	latest		17	thesis.	
18	A. 2017, 2018. They were not		18	Q. Have you do TEM have you	
19	read until after the report was		19	ever done TEM to detect asbestos?	
20	finalized.		20	A. I have not done TEM to	
21	Q. Do you know Longo and		21	detect asbestos. But I looked at his	
22	Rigler?		22	methodologies, his study design, and the	
23	A. Not at all.		23	instruments that he used. And they are	
24	THE VIDEOGRAPHER: Doctor,		24	state of the art.	
	112 (1220 014 1124 2000)				
		Page 251			Page 253
1	can you raise your microphone up?	Page 251	1	Q. Have you ever performed the	Page 253
2	THE WITNESS: Oh, sure.	Page 251	1 2	Q. Have you ever performed the test that he describes in his articles or	Page 253
		Page 251			Page 253
2 3 4	THE WITNESS: Oh, sure. BY MR. HEGARTY: Q. Did you do anything to	Page 251	2 3 4	test that he describes in his articles or reports? A. I have used polarized light	Page 253
2 3	THE WITNESS: Oh, sure. BY MR. HEGARTY:	Page 251	2 3	test that he describes in his articles or reports? A. I have used polarized light microscopy.	Page 253
2 3 4 5 6	THE WITNESS: Oh, sure. BY MR. HEGARTY: Q. Did you do anything to	Page 251	2 3 4 5 6	test that he describes in his articles or reports? A. I have used polarized light microscopy. Q. That's not my question. My	Page 253
2 3 4 5	THE WITNESS: Oh, sure. BY MR. HEGARTY: Q. Did you do anything to assess their expertise in this area? A. I I MS. O'DELL: Are you	Page 251	2 3 4 5	test that he describes in his articles or reports? A. I have used polarized light microscopy. Q. That's not my question. My question is have you performed the same	Page 253
2 3 4 5 6 7 8	THE WITNESS: Oh, sure. BY MR. HEGARTY: Q. Did you do anything to assess their expertise in this area? A. I I MS. O'DELL: Are you referring to Dr. Longo and	Page 251	2 3 4 5 6	test that he describes in his articles or reports? A. I have used polarized light microscopy. Q. That's not my question. My question is have you performed the same tests in your lab or in any in your	Page 253
2 3 4 5 6 7 8 9	THE WITNESS: Oh, sure. BY MR. HEGARTY: Q. Did you do anything to assess their expertise in this area? A. I I MS. O'DELL: Are you referring to Dr. Longo and Dr. Rigler?	Page 251	2 3 4 5 6 7 8 9	test that he describes in his articles or reports? A. I have used polarized light microscopy. Q. That's not my question. My question is have you performed the same tests in your lab or in any in your experience that he has performed and	Page 253
2 3 4 5 6 7 8 9	THE WITNESS: Oh, sure. BY MR. HEGARTY: Q. Did you do anything to assess their expertise in this area? A. I I MS. O'DELL: Are you referring to Dr. Longo and Dr. Rigler? MR. HEGARTY: Yes.	Page 251	2 3 4 5 6 7 8 9 10	test that he describes in his articles or reports? A. I have used polarized light microscopy. Q. That's not my question. My question is have you performed the same tests in your lab or in any in your experience that he has performed and reported on in his reports?	Page 253
2 3 4 5 6 7 8 9 10	THE WITNESS: Oh, sure. BY MR. HEGARTY: Q. Did you do anything to assess their expertise in this area? A. I I MS. O'DELL: Are you referring to Dr. Longo and Dr. Rigler? MR. HEGARTY: Yes. THE WITNESS: I read the	Page 251	2 3 4 5 6 7 8 9 10 11	test that he describes in his articles or reports? A. I have used polarized light microscopy. Q. That's not my question. My question is have you performed the same tests in your lab or in any in your experience that he has performed and reported on in his reports? A. Personally, no.	Page 253
2 3 4 5 6 7 8 9 10 11 12	THE WITNESS: Oh, sure. BY MR. HEGARTY: Q. Did you do anything to assess their expertise in this area? A. I I MS. O'DELL: Are you referring to Dr. Longo and Dr. Rigler? MR. HEGARTY: Yes. THE WITNESS: I read the the bio sketch, a brief, very	Page 251	2 3 4 5 6 7 8 9 10 11 12	test that he describes in his articles or reports? A. I have used polarized light microscopy. Q. That's not my question. My question is have you performed the same tests in your lab or in any in your experience that he has performed and reported on in his reports? A. Personally, no. Q. Starting on Page 5, you talk	Page 253
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$\frac{1}{2}$	least start a disease process.	$\frac{1}{2}$	THE WITNESS: I don't think	
2	Q. Before being contacted by	2	that's I don't think that's	
3	counsel for plaintiffs in this case, had	3	I don't personally think that's	
4	you read any literature concerning	4	the question.	
5	asbestos and ovarian cancer?	5	The question is, asbestos is	
6	A. I have not read literature	6	well classified, well known as a	
7	prior to that on asbestos and ovarian	7	Class 1 carcinogen by IARC. And	
8	cancer. However, I am familiar with, as	8	one fiber has the potential to	
9	I said, other particles, other dusts,	9	initiate the biological processes	
10	other fibers that I have worked with in	10	or provides biological	
11	the laboratory.	11	plausibility that there, in fact,	
12	Q. Had you even heard of a link	12	by producing inflammation and	
13	between asbestos and ovarian cancer	13	producing reactive oxygen	
14	before being contacted by plaintiffs'	14	intermediates, one fiber can start	
15	counsel?	15	the process for ovarian cancer.	
16	A. Yes.	16	And again, let me just	
17	Q. Where did you hear that	17	repeat that my mission, my	
18	from?	18	question that was asked, was to	
19	A. Discussed it with my	19	provide biological plausibility	
20	colleagues. As I said, I've listened to	20	for talc, not to define causation	
21	the media on discussing it. And my	21	as an epidemiologist.	
22	colleagues are a very good source,	22	BY MR. HEGARTY:	
23	although they do not do this work in	23	Q. So it's your opinion that a	
24	their laboratory, we all try to keep up	24	single fiber of asbestos in talc can	
	Page 25	;		Page 257
1	Page 25 with the latest emerging scientific	1	establish biological plausibility between	Page 257
1 2			establish biological plausibility between talc and ovarian cancer?	Page 257
	with the latest emerging scientific	1		Page 257
2	with the latest emerging scientific debates.	1 2	talc and ovarian cancer?	Page 257
2 3	with the latest emerging scientific debates. Q. What is the minimum number	1 2 3	talc and ovarian cancer? A. My	Page 257
2 3 4	with the latest emerging scientific debates. Q. What is the minimum number of asbestos fibers necessary to cause	1 2 3 4	talc and ovarian cancer? A. My MS. O'DELL: Object to the	Page 257
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	Page 2	58		Page 260
1	sitting in this room, unless there is	1	A. It depends. After the World	
2	asbestos in the walls, which I doubt	2	Trade Center, there was.	
3	because it was only built about ten years	3	Q. Are those background	
4	ago.	4	levels do those background levels	
5	Q. Do the background rates of	5	cause ovarian cancer?	
6	asbestos in certain areas cause ovarian	6	MS. O'DELL: Objection to	
7	cancer?	7	the form.	
8	A. Asbestos has been shown to	8	THE WITNESS: The studies	
9	cause ovarian cancer by inhalation, yes.	9	that have been done by my	
10	Q. Is it your opinion that	10	colleagues in the aftermath of the	
11	background rates of asbestos in the air	11	World Trade Center disaster where	
12	can cause ovarian cancer?	12	asbestos was generated have not at	
13	MS. O'DELL: Object to the	13	this time and New York City	
14	form.	14	Public Health has not at this time	
15	THE WITNESS: I don't	15	looked at ovarian cancer. Ovarian	
16	again, background rates, it has	16	cancer occurs within 10 to 30, up	
17	been shown that workers that are	17	to 40 years later. So since 9/11	
18	in places where asbestos is made	18	was only 2001, there is there	
19	have a higher incidence of lung	19	is not sufficient time to have	
20	cancer as shown by Dr. Selikoff	20	developed ovarian cancer.	
21	many, many years ago.	21	BY MR. HEGARTY:	
22	BY MR. HEGARTY:	22	Q. Doctor, before 9/11 there	
23	Q. Doctor, you know what a	23	were background levels of asbestos in	
24	background rate of background level of	24	certain parts of New York City, correct?	
	Page 2	59		Page 261
1	Page 2 a particle in air is, right?	59 1	A. When there are houses that	Page 261
1 2			A. When there are houses that were built with it. There is asbestos	Page 261
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	Page 2	2		Page 264
1	yes.	1	not been done.	Ĭ.
2	Q. Does EPA allow background	$\frac{1}{2}$	There are there is	
3	levels of asbestos in water?	$\frac{1}{3}$	information on no observable	
4	A. I have not reviewed that	4	adverse effect level that has been	
5	literature.	5	established using a dose-response	
6	Q. As a toxicologist, you agree	6	by the NTP, National Toxicology	
7	that dose or level of exposure determines	7	Program.	
8	the toxicity of substances, correct?	8	And two milligrams of talc	
9	MS. O'DELL: Object to the	9	that they used produced minimal	
10	form.	10	minimal affects in the rats and	
11	THE WITNESS: I believe that	11	mice that they tested. So	
12	dose as well as frequency,	12	somewhere below at least, from an	
13	duration, time of exposure are	13	inhalation perspective, is	
14	all as well as dose contribute	14	produces no effect.	
15	to the toxicity of an agent.	15	However, they saw effects	
16	BY MR. HEGARTY:	16	even at the lowest, two milligrams	
17	Q. You agree that a substance	17	per.	
18	can produce a harmful effect only if it	18	BY MR. HEGARTY:	
19	reaches a susceptible biological system	19	Q. My question was specific to	
20	within the body in high enough	20	ovarian cancer. That study did not	
21	concentration, correct?	21	did not identify any ovarian cancers in	
22	MS. O'DELL: Objection to	22	the mice in the mice or rats, correct?	
23	form.	23	A. That's not what they looked	
24	THE WITNESS: It depends on	24	for.	
	Page 2	3		Page 265
1		13	Q. My question is specific to	Page 265
	the let me read your question		Q. My question is specific to ovarian cancer.	Page 265
1 2 3		1	- · · · · · · · · · · · · · · · · · · ·	Page 265
2	the let me read your question over. It was a lengthy question.	1 2	ovarian cancer.	Page 265
2 3	the let me read your question over. It was a lengthy question. It depends on the on the	1 2 3	ovarian cancer. A. Let me read your question	Page 265
2 3 4	the let me read your question over. It was a lengthy question. It depends on the on the toxicant that you're talking about. There is dose that you're exposed to, or concentration that	1 2 3 4	ovarian cancer. A. Let me read your question over again. Could you repeat your	Page 265
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	the let me read your question over. It was a lengthy question. It depends on the on the toxicant that you're talking about. There is dose that you're exposed to, or concentration that you're supposed to, and dose to the target tissue. And for every different every different chemical, there is a different target dose that could start a biological process. BY MR. HEGARTY: Q. And what is the target dose that is necessary to start the biologic process of talc and ovarian cancer? MS. O'DELL: Object to the form. THE WITNESS: Well, if you if you look at talc as a	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	ovarian cancer. A. Let me read your question over again. Could you repeat your question. It's already gone past. Q. What is the target dose that is necessary to start the biologic process of talc and ovarian cancer? A. Well, as I talked about, one fiber of asbestos could start the biological process. It is not clear if there is a threshold dose or a concentration, or whether one and we're talking about the whole talcum powder product. We're not talking about any one product. You're talking about the whole process and how much it will start the biological process. It's unknown, it's not in the literature. But I will tell you that	Page 265
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	the let me read your question over. It was a lengthy question. It depends on the on the toxicant that you're talking about. There is dose that you're exposed to, or concentration that you're supposed to, and dose to the target tissue. And for every different every different chemical, there is a different target dose that could start a biological process. BY MR. HEGARTY: Q. And what is the target dose that is necessary to start the biologic process of talc and ovarian cancer? MS. O'DELL: Object to the form. THE WITNESS: Well, if you if you look at talc as a whole, to give you a concentration, a threshold	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	ovarian cancer. A. Let me read your question over again. Could you repeat your question. It's already gone past. Q. What is the target dose that is necessary to start the biologic process of talc and ovarian cancer? A. Well, as I talked about, one fiber of asbestos could start the biological process. It is not clear if there is a threshold dose or a concentration, or whether one and we're talking about the whole talcum powder product. We're not talking about any one product. You're talking about the whole process and how much it will start the biological process. It's unknown, it's not in the literature. But I will tell you that even small doses that are used of the talcum of a talcum product, if you	Page 265
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	the let me read your question over. It was a lengthy question. It depends on the on the toxicant that you're talking about. There is dose that you're exposed to, or concentration that you're supposed to, and dose to the target tissue. And for every different every different chemical, there is a different target dose that could start a biological process. BY MR. HEGARTY: Q. And what is the target dose that is necessary to start the biologic process of talc and ovarian cancer? MS. O'DELL: Object to the form. THE WITNESS: Well, if you if you look at talc as a whole, to give you a	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	ovarian cancer. A. Let me read your question over again. Could you repeat your question. It's already gone past. Q. What is the target dose that is necessary to start the biologic process of talc and ovarian cancer? A. Well, as I talked about, one fiber of asbestos could start the biological process. It is not clear if there is a threshold dose or a concentration, or whether one and we're talking about the whole talcum powder product. We're not talking about any one product. You're talking about the whole process and how much it will start the biological process. It's unknown, it's not in the literature. But I will tell you that even small doses that are used of the	Page 265

	Page 2	56		Page 268
1	powder puff, that amount could even,	1	THE WITNESS: Can can you	<i>6</i> . 30
2	depending upon the woman, the	2	address the question again?	
3	susceptibility, the vulnerability, can	3	BY MR. HEGARTY:	
4	all start the process.	4	Q. Is it your opinion that pure	
5	We're talking about the	5	talc does not exist?	
6	process, in my opinion. What you're	6	When I say pure talc, I mean	
7	talking about and in the opinion that I	7	talc without asbestos, without heavy	
8	report here, is that that can start an	8	metals, without fragrance.	
9	inflammatory process.	9	MS. O'DELL: Objection to	
10	Q. And what is the number of	10	form.	
11	particles of talc necessary to start the	11	THE WITNESS: The idea of	
12	biologic process?	12	talc is that it has, within its	
13	MS. O'DELL: Object to form.	13	lattice, metals.	
14	THE WITNESS: That is not in	14	So platy talc refers to the	
15	the scientific literature.	15	structure or the morphology of the	
16	BY MR. HEGARTY:	16	talc, how it looks, what	
17	Q. Over Pages 6 through 8 of	17	dimensions it's in.	
18	your report you discuss asbestos. Is the	18	So, do I think there is	
19	presence of asbestos in talc necessary	19	platy talc? Of course there is	
20	for your biologic plausibility opinions?	20	platy tale.	
21	A. I looked at the entire	21	BY MR. HEGARTY:	
22	product.	22	Q. Is there platy talc without	
23	Q. Well, do you intend to	23	asbestos?	
24	testify that there is biologic	24	A. Well, according to the	
_	, c			
	Page 2	57		Page 269
1	plausibility between pure talc, the platy	1	studies out of Mossman's laboratories,	
2	talc, and ovarian cancer?	2	they used asbestos, they used talc that	
3	MS. O'DELL: Object to the	3	contained nonfibrous talc.	
4		5		
5	form.	4	Q. Do you have an opinion on	
J	THE WITNESS: I don't		Q. Do you have an opinion on whether there is talc without asbestos?	
6	THE WITNESS: I don't think my opinion is that there	4 5 6	Q. Do you have an opinion on whether there is talc without asbestos? MS. O'DELL: Object to the	
6 7	THE WITNESS: I don't	4 5 6 7	Q. Do you have an opinion on whether there is talc without asbestos? MS. O'DELL: Object to the form.	
6 7 8	THE WITNESS: I don't think my opinion is that there may not be anything such as platy talc in a pure form.	4 5 6 7 8	Q. Do you have an opinion on whether there is talc without asbestos? MS. O'DELL: Object to the form. THE WITNESS: In many of the	
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6 7 8 9 10	THE WITNESS: I don't think my opinion is that there may not be anything such as platy talc in a pure form. BY MR. HEGARTY: Q. Okay. It's your opinion	4 5 6 7 8 9 10	Q. Do you have an opinion on whether there is talc without asbestos? MS. O'DELL: Object to the form. THE WITNESS: In many of the documents from Johnson & Johnson, they measured fibrous talc as well	
6 7 8 9 10 11	THE WITNESS: I don't think my opinion is that there may not be anything such as platy talc in a pure form. BY MR. HEGARTY: Q. Okay. It's your opinion that pure talc does not exist?	4 5 6 7 8 9 10 11	Q. Do you have an opinion on whether there is talc without asbestos? MS. O'DELL: Object to the form. THE WITNESS: In many of the documents from Johnson & Johnson, they measured fibrous talc as well as other forms, non-asbestiform,	
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		Page 270			Page 272
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Did you do analysis of biologic plausibility for talc without asbestos? MS. O'DELL: Objection to form. THE WITNESS: My biological assessment, my my biological plausibility was looking at the entire product of talcum powder. BY MR. HEGARTY: Q. And how do you define the entire product? A. The entire product is whatever are the ingredients or listed within the documents or the test results from Imerys that that indicate what they measured, including the metals, the asbestos, the the asbestiform fibers, the fragrances. Q. So you did your biologic plausibility analysis with based on talc that has asbestos, heavy metals and	rage 2/0	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	sure how that would be done or I don't think it could be done. What I did was I did it for the entire product. BY MR. HEGARTY: Q. And what do you what do you think what is your opinion strike that. What is in the entire product in your opinion? A. Based upon the Johnson & Johnson documents. That's where my that's where I will tell you what is in there. As as far as the product documents, it indicates that there are metals, including not not totally inclusive of, but to mention a few of the more well-known ones, cobalt, chromium and nickel. There are also, according to the Crowley report, there are also many	rage 2/2
23	fragrance in it, correct?		23	chemicals that make up a fragrance. And	
24	MS. O'DELL: Objection to		24	there and in many of the samples	
		Page 271			Page 273
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	form. THE WITNESS: I did my biological plausibility on talcum powder products. I looked at individual products, individual constituents in adding to my to my report, to my document. But I looked at the entire product. And it is my opinion that the entire product causes inflammation and that inflammation then goes on as a triggering mechanism to turn on certain genes and to bind iron that can lead to the changes needed for cancer in the ovary. BY MR. HEGARTY: Q. You did not do a separate analysis of talc without asbestos or without and without heavy metals and without fragrance, correct? MS. O'DELL: Object to the form. THE WITNESS: I'm not even		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	tested, there was asbestos or asbestiform fibers, some of which were called fibrous talc, others were called asbestiform and others in which they were called asbestos fibers, or amphiboles or anthophyllite. Q. Did you review all the test A. Anthophyllite. Q. I'm sorry. Did you review all the testing documents produced by Johnson & Johnson and Imerys in this case? A. I reviewed the documents that are in the production document black binder to my right. Q. Those were provided to you by plaintiffs' counsel, correct? A. That is correct. Q. Did you ask them if they provided to you all testing documents that had been produced in this case with regard by Johnson & Johnson and Imerys? A. I did not ask that question	

		Page 274			Page 276
1	specifically.	-	1	not present.	-
2	Q. Do you know whether there		2	Q. You relied on plaintiffs'	
3	are additional documents of tests		3	counsel to select for you the testing	
4	documents describing tests that were done		4	documents that you reviewed, correct?	
5	by Johnson & Johnson and/or Imerys with		5	A. I I read and reviewed	
6	regard to asbestos, heavy metals,		6	whatever they sent me.	
7	fragrances and talc?		7	Q. And did you do anything to	
8	MS. O'DELL: Object to form.		8	verify that you had all the documents	
9	THE WITNESS: Plaintiff		9	regarding the testing of Johnson's Baby	
10	counsels and myself did talk about		10	Powder?	
11	that, some of that information,		11	A. I did nothing personally	
12	and		12	other than ask the the attorneys if	
13	MS. O'DELL: Doctor,		13	there was anything else I needed in	
14	don't in terms of our		14	forming my opinion. In of production	
15	conversations		15		
16			16	documents, if we're just referring to	
17	THE WITNESS: I'm sorry. MS. O'DELL: those		17	that. I have no access to	
18 19	conversations are our work		18	production documents on my own or through	
	product.		19	the internet. And I know none of the	
20	But to the degree that your		20	other deposees.	
21	answer doesn't depend on our		21	Q. Did you do a comparison of	
22	conversations, you may you may		22	biologic plausibility across various	
23	answer.		23	brands of talcum powder products?	
24	THE WITNESS: I I made it		24	A. I did not personally do any	
		Page 275			Page 277
1	clear that I would like to see	Page 275	1	of that. However many of the documents	Page 277
1 2	clear that I would like to see documents that could go into my	Page 275	1 2	of that. However many of the documents and many of the studies including the	Page 277
		Page 275			Page 277
2	documents that could go into my	Page 275	2	and many of the studies including the	Page 277
2 3	documents that could go into my assessment of biological	Page 275	2 3	and many of the studies including the Longo supplement did compare, for	Page 277
2 3 4	documents that could go into my assessment of biological plausibility.	Page 275	2 3 4	and many of the studies including the Longo supplement did compare, for example, I think I misspoke when I said	Page 277
2 3 4 5	documents that could go into my assessment of biological plausibility. BY MR. HEGARTY:	Page 275	2 3 4 5	and many of the studies including the Longo supplement did compare, for example, I think I misspoke when I said one of the places that Johnson & Johnson	Page 277
2 3 4 5 6	documents that could go into my assessment of biological plausibility. BY MR. HEGARTY: Q. Would you like to see	Page 275	2 3 4 5 6	and many of the studies including the Longo supplement did compare, for example, I think I misspoke when I said one of the places that Johnson & Johnson gets their talc is Korea. What I meant	Page 277
2 3 4 5 6 7	documents that could go into my assessment of biological plausibility. BY MR. HEGARTY: Q. Would you like to see documents showing that there is no	Page 275	2 3 4 5 6 7	and many of the studies including the Longo supplement did compare, for example, I think I misspoke when I said one of the places that Johnson & Johnson gets their talc is Korea. What I meant was China. I should have said Asia. So	Page 277
2 3 4 5 6 7 8	documents that could go into my assessment of biological plausibility. BY MR. HEGARTY: Q. Would you like to see documents showing that there is no asbestos in talcum powder, in particular	Page 275	2 3 4 5 6 7 8	and many of the studies including the Longo supplement did compare, for example, I think I misspoke when I said one of the places that Johnson & Johnson gets their talc is Korea. What I meant was China. I should have said Asia. So Korea is also a mine that provided, but	Page 277
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		Page 278			Page 280
1	there is no asbestos in Johnson's Baby		1	ludicrous actually.	50 200
$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Powder, would that change your opinions		1 2	Q. None of the studies that you	
3	as to biological plausibility?		3	cite in your heavy metals section link	
4	A. No, sir, it would not.		4	the exposures that you discussed to	
5	Q. Same question with regard to		5	ovarian cancer risk, correct?	
6	heavy metals. If there were no heavy		6	THE WITNESS: I'm sorry.	
7	metals in Johnson's Baby Powder, would		7	This is not coming up.	
8	that change your opinions on biological		8	(Whereupon, a discussion was	
9	plausibility?		9	held off the stenographic record.)	
10	A. I looked at the entire		10	THE WITNESS: They the	
11	product and it would not it would not		11	studies that I list for the	
12	change my opinion, as it exists		12	individual metals talk about the	
13	currently, with biological plausibility		13	potential inflammatory and	
14	that it would cause ovarian cancer		14	carcinogenic potential of those	
15	through through inflammation, is my		15	particular metals. And based on	
16	opinion.		16	the Crowley report, there are, and	
17	Q. In looking at your heavy		17	other production documents from	
18	metals section, beginning at Page 8 of		18	Johnson & Johnson, they list three	
19	your report are you there?		19	particular metals that are	
20	A. I'm not. I had to put my		20	associated with Johnson & Johnson	
21	glasses on. Thank you.		21	products, cobalt, nickel and	
22 23	Q. There are no studies that have looked at the effects of these		22 23	chromium. BY MR. HEGARTY:	
$\begin{vmatrix} 23 \\ 24 \end{vmatrix}$			23 24		
24	metals in powder dusted on the perineum,		24	Q. That was not my question.	
		Page 279			Page 281
1	correct?	Page 279	1	My question is, none of the studies that	Page 281
2	A. Your question is there are	Page 279	1 2	you cite	Page 281
2 3	A. Your question is there are no studies looking at these individual	Page 279	3	you cite A. On the	Page 281
2 3 4	A. Your question is there are no studies looking at these individual metals?	Page 279	3 4	you cite A. On the Q in your section on heavy	Page 281
2 3 4 5	A. Your question is there are no studies looking at these individual metals? Q. Correct?	Page 279	3 4 5	you cite A. On the Q in your section on heavy metals, evaluate ovarian carcinogenicity	Page 281
2 3 4 5 6	 A. Your question is there are no studies looking at these individual metals? Q. Correct? A. Perineal studies in the 	Page 279	3 4 5 6	you cite A. On the Q in your section on heavy metals, evaluate ovarian carcinogenicity potentials of these metals, correct?	Page 281
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2 3 4 5 6 7 8	A. Your question is there are no studies looking at these individual metals? Q. Correct? A. Perineal studies in the ovarian Q. No, my question is, there	Page 279	3 4 5 6 7 8	you cite A. On the Q in your section on heavy metals, evaluate ovarian carcinogenicity potentials of these metals, correct? MS. O'DELL: Object to the form.	Page 281
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	Ī	Page 282			Page 284
1	potential.	-	1	them.	
2	Q. Doctor, you don't cite any		2	Q. Did you find any?	
3	studies that look at look at the		3	A. Again, the purpose of	
4	ovarian carcinogenicity potential of any		4	writing this section on heavy metals had	
5	of these metals, correct?		5	to do with bringing out the inflammatory	
6	MS. O'DELL: Object to form.		6	and the biological plausibility that in	
7	THE WITNESS: Not in my		7	my mind is linked to tale and ovarian	
0			8	•	
<mark>8</mark> 9	report. BY MR. HEGARTY:		9	cancer.	
10	Q. What are the exposure levels		10	Q. Doctor, listen to my question. Did you find any studies	
11	of these metals necessary to have		11	reporting on a risk of ovarian cancer	
12	biologic plausibility of ovarian cancer?		12	with exposure to any of those metals?	
13	A. As far as biological		13	MS. O'DELL: Objection to	
14	plausibility of these metals, these		14	form.	
15	metals are unless there are particular		15	THE WITNESS: I found in	
16	standards for a particular metal, nothing		16	cobalt, but it does not have to do	
17	is really established for what it would		17	with ovarian cancer, but I did	
18	take for nickel to cause ovarian cancer.		18	find that the absorption of cobalt	
19	However, the ability of		19	is much higher in women than in	
20	these metals to produce inflammation are		20	men. And that many of these	
21	very, very low levels. And if they		21	studies show that you have	
22	produce inflammation, then they have the		22	increased proliferation. And as I	
23	potential to go on to produce cancer.		23	said, mine was my question that	
24	And many of these metals do.		24	I needed to address was biological	
	Ī	Page 283			Page 285
1	Q. Well, none of these studies		1	plausibility.	
2	report a threshold level of exposure to		2	So I did find many of these	
3	cobalt, chromium, or nickel to increase		3	factors, many of these metals, all	
4	the risk of ovarian cancer, correct?		4	of these metals have the potential	
5	MS. O'DELL: Object to the		5	to produce the changes that are in	
6	form.		6	the carcinogenic process.	
7	THE WITNESS: That was not		7	BY MR. HEGARTY:	
8	the purpose of my writing.		8	Q. I'm going to ask the	
9	My my writing was to		9	question one more time. And if we don't	
10	exemplify the carcinogenic		10	get an answer I'm going to call Judge	
11	potential and the inflammatory and		11	Pisano.	
12	some of the human health effects		12	Cite for me, which study did	
13	that are commonly seen. Ovarian		13	you find that linked exposure to these	
14	cancer is not that common. And so		14	metals to ovarian cancer?	
15	it's not unusual that other		15	MS. O'DELL: Objection to	
16	that ovarian cancer was not looked		16	the form.	
17	into in some of these studies.		17	Dr. Zelikoff has answered	
18	BY MR. HEGARTY:		18	your question multiple times.	
19	Q. Well, you found no studies		19	But you may answer it again.	
	looking at exposure to any of those		20	BY MR. HEGARTY:	
	TOOKING AL CAPOSUIC TO ANY OF HIUSE			Q. Let me ask it differently.	
$\begin{vmatrix} 20 \\ 21 \end{vmatrix}$					
21	metals and risk of ovarian cancer,		21	•	
21 22	metals and risk of ovarian cancer, correct?		22	Did you find any studies reporting on a	
21	metals and risk of ovarian cancer,			•	

	Page 2	36		Page 288
1	chromium, or nickel?	1	of these metals in terms of parts	
2	A. I was not looking	2	per million, whatever talc reached	
3	specifically for that. So, no, I did not	3	there, there's there is a	
4	find that.	4	strong potential that that amount	
5	Q. Which of the studies that	5	of the concentration of the metal	
6	you report show that the exposure levels	6	would also reach the target organ.	
7	evaluated in those studies are in any way	7	BY MR. HEGARTY:	
8	related to human exposure levels through	8	Q. That's not my question,	
9	Johnson's Baby Powder?	9	Doctor.	
10	MS. O'DELL: Object to the	10	How much nickel, cobalt and	
11	form.	11	chromium reached the ovary with a single	
12	THE WITNESS: Are you	12	application of Johnson's Baby Powder to	
13	talking about inhalation or	13	the perineum?	
14	perineal application?	14	A. I don't have that	
15	BY MR. HEGARTY:	15	information is not available.	
16	Q. Either method of exposure.	16	They did show in studies, in	
17	A. So many of the inhalation	17	a few studies, I think it was the	
18	numbers are concentrations, and looking	18	Hamilton study that or Henderson	
19	at the Johnson & Johnson documents in	19	study that there talc indeed does	
20	terms of what is in the head and in the	20	reach the ovary from perineal application	
21	face area after diapering as well as	21	or from intravaginal application. And	
22	during powdering, indicates that the	22	whatever is whatever the concentration	
23	concentrations that are possibly inhaled	23 24	is that reached the ovary, carried with	
24	contain particles that can initiate a	24	it these one one or more or all of	
	Page 2	37		Page 289
1	response.	1	these three metals.	Page 289
2	response. Also, from looking at the	1 2	Q. You agree	Page 289
2 3	response. Also, from looking at the Johnson & Johnson documents, many of	1 2 3	Q. You agreeA. So it was a similar	Page 289
2 3 4	response. Also, from looking at the Johnson & Johnson documents, many of those results indicate and I think we	1 2 3 4	Q. You agreeA. So it was a similar concentration.	Page 289
2 3 4 5	response. Also, from looking at the Johnson & Johnson documents, many of those results indicate and I think we have an exhibit here of the table of the	1 2 3 4 5	Q. You agreeA. So it was a similar concentration.Q. You agree that all of the	Page 289
2 3 4 5 6	response. Also, from looking at the Johnson & Johnson documents, many of those results indicate and I think we have an exhibit here of the table of the concentrations that were found.	1 2 3 4 5 6	 Q. You agree A. So it was a similar concentration. Q. You agree that all of the metals you talk about are in are all 	Page 289
2 3 4 5 6 7	response. Also, from looking at the Johnson & Johnson documents, many of those results indicate and I think we have an exhibit here of the table of the concentrations that were found. Well, it's not at my local	1 2 3 4 5 6 7	 Q. You agree A. So it was a similar concentration. Q. You agree that all of the metals you talk about are in are all around us, they are in food, correct? 	Page 289
2 3 4 5 6 7 8	response. Also, from looking at the Johnson & Johnson documents, many of those results indicate and I think we have an exhibit here of the table of the concentrations that were found. Well, it's not at my local fingertips here. But	1 2 3 4 5 6 7 8	 Q. You agree A. So it was a similar concentration. Q. You agree that all of the metals you talk about are in are all around us, they are in food, correct? A. The metals nickel, chromium, 	Page 289
2 3 4 5 6 7 8 9	response. Also, from looking at the Johnson & Johnson documents, many of those results indicate and I think we have an exhibit here of the table of the concentrations that were found. Well, it's not at my local fingertips here. But MS. O'DELL: Are you looking	1 2 3 4 5 6 7 8	 Q. You agree A. So it was a similar concentration. Q. You agree that all of the metals you talk about are in are all around us, they are in food, correct? A. The metals nickel, chromium, cobalt can be in food, yes. 	Page 289
2 3 4 5 6 7 8 9 10	response. Also, from looking at the Johnson & Johnson documents, many of those results indicate and I think we have an exhibit here of the table of the concentrations that were found. Well, it's not at my local fingertips here. But MS. O'DELL: Are you looking for Exhibit C, Doctor, I think	1 2 3 4 5 6 7 8 9	 Q. You agree A. So it was a similar concentration. Q. You agree that all of the metals you talk about are in are all around us, they are in food, correct? A. The metals nickel, chromium, cobalt can be in food, yes. Q. They are in the air, 	Page 289
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	1	Page 290			Page 292
1	of nickel in the air. But if you		1	Q. Did you do an analysis	18 2 -
2	go to New York City, concentrate		2	yourself of Johnson's Baby Powder for the	
3	as we've measured in my laboratory		3	presence of these heavy metals?	
4	prior to this deposition, or prior		4	A. I did not do any	
5	to this case, my involvement in		5	instrumentation studies measuring the	
6	this case, you will see very small		6	amount. I I relied on the documents.	
7	concentrations of nickel. There		7	Q. But you are capable of doing	
8	should not be a lot in the air.		8	that analysis, correct?	
9	And we also measured		9	A. We are capable, in my	
10	chromium, and it should not be	1	10	laboratory, along with colleagues, of	
11	unless you have a polluted	1	11	measuring by XRF, x-ray fluorescence, and	
12	environment there should not be a	1	12	by ICP mass spec, measuring the amounts	
13	lot of these metals in the air.	1	13	of metals in tissues, correct.	
14	BY MR. HEGARTY:	1	14	Q. But you did not do that	
15	Q. Is the metal are not the	1	15	testing here, correct?	
16	metals that are in the air, nickel and		16	A. My job was to define	
17	chromium, sufficient to have biologic		17	biological plausibility based upon	
18	plausibility between those metals and		18	literature, relevant literature and	
19	ovarian cancer?		19	documents, internal documents.	
20	A. Those those metals, yes,		20	Q. Nowhere in your report do	
21	the metals in the air can cause an		21	you identify the exposure levels of any	
22	inflammatory response. The		22	of these metals that are necessary to	
23	concentrations of the metals in the air		23	cause ovarian cancer, correct?	
24	can cause an inflammatory response and	4	24	MS. O'DELL: Objection to	
	1	Page 291			Page 293
1		Page 291	1	form. Asked and answered.	Page 293
1 2	can start processes and change gene expression within cells.	Page 291	1 2	form. Asked and answered. THE WITNESS: There is no	Page 293
2 3	can start processes and change gene	Page 291			Page 293
2 3 4	can start processes and change gene expression within cells.	Page 291	2	THE WITNESS: There is no	Page 293
2 3 4 5	can start processes and change gene expression within cells. Q. Cite for me any study that shows that inflammatory response has ever occurred in the ovary.	Page 291	2 3	THE WITNESS: There is no literature that says you need one particle or ten particles. The inflammatory response	Page 293
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2 3 4 5 6 7	can start processes and change gene expression within cells. Q. Cite for me any study that shows that inflammatory response has ever occurred in the ovary. MS. O'DELL: Objection to form.	Page 291	2 3 4 5 6 7	THE WITNESS: There is no literature that says you need one particle or ten particles. The inflammatory response that nickel causes is extremely well established, even at very low	Page 293
2 3 4 5 6 7 8	can start processes and change gene expression within cells. Q. Cite for me any study that shows that inflammatory response has ever occurred in the ovary. MS. O'DELL: Objection to form. THE WITNESS: There are	Page 291	2 3 4 5 6 7 8	THE WITNESS: There is no literature that says you need one particle or ten particles. The inflammatory response that nickel causes is extremely well established, even at very low concentrations. And and the	Page 293
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		D 20.4			D 2006
		Page 294			Page 296
1	animals to produce inflammation,		1	form.	
2	to change the epigenome of the		2	THE WITNESS: The exposures	
3	cells, to change gene expression.		3	are similar, or can be similar.	
4	And there was no there was no		4	But as I stated before, for	
5	reason to believe whether or not		5	these metals as well as for	
6	there are specific studies		6	asbestiform fibers, all it takes	
7	associated with the ovary. There		7	is a small amount, if not just one	
8	are no reason to believe that it		8	fiber, to cause the response and	
9	would not do the same effects in		9	to start the process of	
10	cells as well as in the ovary, in		10	inflammation, gene expression,	
11	the lung, and the kidney and the		11	upregulation of genes that are	
12	liver.		12	associated with biological	
13	BY MR. HEGARTY:		13	mediators, proinflammatory	
14	Q. Doctor, you are not aware of		14	cytokines.	
15	any studies that have looked at the		15	BY MR. HEGARTY:	
16	effects of these metals on human ovarian		16	Q. Yet you cite no study that	
17			17	•	
	cells, correct?			reports that response in human ovarian	
18	MS. O'DELL: Object to the		18	cells, correct?	
19	form.		19	MS. O'DELL: Object to the	
20	THE WITNESS: Again, I'm not		20	form.	
21	an epidemiologist, so and I'm		21	THE WITNESS: I if you're	
22	not a clinical toxicologist. So I		22	still talking about individual	
23	will have to stand by the the		23	metals, no.	
24	data that I do know in in		24	But if you're talking about	
		Page 295			Page 297
1		Page 295	1	in vitro studies like those of	Page 297
1 2	extensive have extensive	Page 295	1 2	in vitro studies like those of	Page 297
1 2 3	extensive have extensive knowledge of. And that's human ex	Page 295	2	Saed who looked for oxidative	Page 297
2 3	extensive have extensive knowledge of. And that's human ex vivo and in vitro studies. And I	Page 295	2 3	Saed who looked for oxidative stress and and prooxidant	Page 297
2 3	extensive have extensive knowledge of. And that's human ex vivo and in vitro studies. And I am not aware.	Page 295	2 3 4	Saed who looked for oxidative stress and and prooxidant changes, and if you are talking	Page 297
2 3 4 5	extensive have extensive knowledge of. And that's human ex vivo and in vitro studies. And I am not aware. That is not to say that they	Page 295	2 3 4 5	Saed who looked for oxidative stress and and prooxidant changes, and if you are talking about Shukla study who also looked	Page 297
2 3 4 5 6	extensive have extensive knowledge of. And that's human ex vivo and in vitro studies. And I am not aware. That is not to say that they are not out there. And I	Page 295	2 3 4 5 6	Saed who looked for oxidative stress and and prooxidant changes, and if you are talking about Shukla study who also looked at ovarian cells, human ovarian	Page 297
2 3 4 5 6 7	extensive have extensive knowledge of. And that's human ex vivo and in vitro studies. And I am not aware. That is not to say that they are not out there. And I especially do not know about the	Page 295	2 3 4 5 6 7	Saed who looked for oxidative stress and and prooxidant changes, and if you are talking about Shukla study who also looked at ovarian cells, human ovarian cells, and looked at changes in	Page 297
2 3 4 5 6 7 8	extensive have extensive knowledge of. And that's human ex vivo and in vitro studies. And I am not aware. That is not to say that they are not out there. And I especially do not know about the humans, because I focus as a	Page 295	2 3 4 5 6 7 8	Saed who looked for oxidative stress and and prooxidant changes, and if you are talking about Shukla study who also looked at ovarian cells, human ovarian cells, and looked at changes in gene expression associated with	Page 297
2 3 4 5 6 7 8 9	extensive have extensive knowledge of. And that's human ex vivo and in vitro studies. And I am not aware. That is not to say that they are not out there. And I especially do not know about the humans, because I focus as a toxicologist. I'm an animal	Page 295	2 3 4 5 6 7 8 9	Saed who looked for oxidative stress and and prooxidant changes, and if you are talking about Shukla study who also looked at ovarian cells, human ovarian cells, and looked at changes in gene expression associated with oxidant production and reactive	Page 297
2 3 4 5 6 7 8 9 10	extensive have extensive knowledge of. And that's human ex vivo and in vitro studies. And I am not aware. That is not to say that they are not out there. And I especially do not know about the humans, because I focus as a toxicologist. I'm an animal toxicologist.	Page 295	2 3 4 5 6 7 8 9	Saed who looked for oxidative stress and and prooxidant changes, and if you are talking about Shukla study who also looked at ovarian cells, human ovarian cells, and looked at changes in gene expression associated with oxidant production and reactive oxygen species production, then	Page 297
2 3 4 5 6 7 8 9 10	extensive have extensive knowledge of. And that's human ex vivo and in vitro studies. And I am not aware. That is not to say that they are not out there. And I especially do not know about the humans, because I focus as a toxicologist. I'm an animal toxicologist. BY MR. HEGARTY:	Page 295	2 3 4 5 6 7 8 9 10	Saed who looked for oxidative stress and and prooxidant changes, and if you are talking about Shukla study who also looked at ovarian cells, human ovarian cells, and looked at changes in gene expression associated with oxidant production and reactive oxygen species production, then yes, in cell culture using human	Page 297
2 3 4 5 6 7 8 9 10 11 12	extensive have extensive knowledge of. And that's human ex vivo and in vitro studies. And I am not aware. That is not to say that they are not out there. And I especially do not know about the humans, because I focus as a toxicologist. I'm an animal toxicologist. BY MR. HEGARTY: Q. Did you do any comparison	Page 295	2 3 4 5 6 7 8 9 10 11 12	Saed who looked for oxidative stress and and prooxidant changes, and if you are talking about Shukla study who also looked at ovarian cells, human ovarian cells, and looked at changes in gene expression associated with oxidant production and reactive oxygen species production, then yes, in cell culture using human ovarian epithelial cells, because	Page 297
2 3 4 5 6 7 8 9 10 11 12 13	extensive have extensive knowledge of. And that's human ex vivo and in vitro studies. And I am not aware. That is not to say that they are not out there. And I especially do not know about the humans, because I focus as a toxicologist. I'm an animal toxicologist. BY MR. HEGARTY: Q. Did you do any comparison between the doses of of the metals	Page 295	2 3 4 5 6 7 8 9 10 11 12 13	Saed who looked for oxidative stress and and prooxidant changes, and if you are talking about Shukla study who also looked at ovarian cells, human ovarian cells, and looked at changes in gene expression associated with oxidant production and reactive oxygen species production, then yes, in cell culture using human ovarian epithelial cells, because that's what we are talking about	Page 297
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	extensive have extensive knowledge of. And that's human ex vivo and in vitro studies. And I am not aware. That is not to say that they are not out there. And I especially do not know about the humans, because I focus as a toxicologist. I'm an animal toxicologist. BY MR. HEGARTY: Q. Did you do any comparison between the doses of of the metals reported in the studies that you cited to those in women using talc?	Page 295	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Saed who looked for oxidative stress and and prooxidant changes, and if you are talking about Shukla study who also looked at ovarian cells, human ovarian cells, and looked at changes in gene expression associated with oxidant production and reactive oxygen species production, then yes, in cell culture using human ovarian epithelial cells, because that's what we are talking about here. BY MR. HEGARTY:	Page 297
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	extensive have extensive knowledge of. And that's human ex vivo and in vitro studies. And I am not aware. That is not to say that they are not out there. And I especially do not know about the humans, because I focus as a toxicologist. I'm an animal toxicologist. BY MR. HEGARTY: Q. Did you do any comparison between the doses of of the metals reported in the studies that you cited to those in women using talc? A. I did no calculations on on my own. Q. Did you do any calculations that tested these metals in animals to determine what the that that they relate in any way to the dose that a human would experience through Johnson's	Page 295	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Saed who looked for oxidative stress and and prooxidant changes, and if you are talking about Shukla study who also looked at ovarian cells, human ovarian cells, and looked at changes in gene expression associated with oxidant production and reactive oxygen species production, then yes, in cell culture using human ovarian epithelial cells, because that's what we are talking about here. BY MR. HEGARTY: Q. None of those studies applied nickel to human ovarian cells, did they? A. No, they did not. Q. None of those studies applied cobalt to human ovarian cells, correct?	Page 297
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	Pas	ge 298			Page 300
1	applied chromium to ovarian human		1	target site, let's say in the case	
2	ovarian cells, correct?		2	of inhalation or in the case of	
3	A. Correct. But what we're		3	direct application to the perineal	
4	talk what I'm talking about and the		4	area, you will have the process of	
5	basis of my opinion is the product in its		5	impacting with those cells and	
6	entirety, not breaking it down to		6	generating cell mediated reactions	
7	individual constituents.		7	and immunological reactions and	
8	Q. Is it necessary for purposes		8	inflammatory responses.	
9	of your biologic plausibility opinion		9	And those inflammatory	
10	that talc reach the ovary?		0	responses and those reactive	
11	A. Not necessarily.		1	oxygen species, except for	
12	Talc does talc and any		2	hydrogen peroxide which can't	
13	other particle does not have to reach the		3	travel a far distance, can get	
14	site of deposition. They can, and and		4	into can and do get into the	
15	do, I believe that they not only migrate		5	blood circulation and then can	
16	to an area and they can get to an area		6	reach distant organs.	
17	and then cause inflammation which then			BY MR. HEGARTY:	
18	can be the cytokines where there's		8	Q. Cite for me any published	
19	tumor necrosis factor, interleukin-1, or			authority that says that inflammation in	
20	any of the other proinflammatory			the lungs will cause inflammation in the	
21	cytokines can then get to the air, the	2		ovaries.	
22	site of this this target organ.		2	MS. O'DELL: Object to the	
23	So you do not have to have,		3	form. Misstates her testimony.	
24	in particle toxicology and in talc		4	THE WITNESS: To that	
-					
	Pag	ge 299			Page 301
1	toxicology, you do not have to have the		1	specific question, no. But I	Page 301
2	toxicology, you do not have to have the presence. Although, in early studies		2	can I can cite you many studies	Page 301
2 3	toxicology, you do not have to have the presence. Although, in early studies they have found talc particles not only		2	can I can cite you many studies that show in terms of other	Page 301
2 3 4	toxicology, you do not have to have the presence. Although, in early studies they have found talc particles not only in the ovary, but also in the lymph		2 3 4	can I can cite you many studies that show in terms of other particles for the lungs that has	Page 301
2 3 4 5	toxicology, you do not have to have the presence. Although, in early studies they have found talc particles not only		2 3 4 5	can I can cite you many studies that show in terms of other particles for the lungs that has been shown to cause inflammation	Page 301
2 3 4 5 6	toxicology, you do not have to have the presence. Although, in early studies they have found talc particles not only in the ovary, but also in the lymph node in the lymphatics that drain the ovary.		2 3 4 5 6	can I can cite you many studies that show in terms of other particles for the lungs that has been shown to cause inflammation in other areas.	Page 301
2 3 4 5 6 7	toxicology, you do not have to have the presence. Although, in early studies they have found talc particles not only in the ovary, but also in the lymph node in the lymphatics that drain the ovary. Q. Cite for me any study that		2 3 4 5 6 7	can I can cite you many studies that show in terms of other particles for the lungs that has been shown to cause inflammation in other areas. For example, in the case of	Page 301
2 3 4 5 6 7 8	toxicology, you do not have to have the presence. Although, in early studies they have found talc particles not only in the ovary, but also in the lymph node in the lymphatics that drain the ovary. Q. Cite for me any study that has reported inflammation in the ovaries		2 3 4 5 6 7 8	can I can cite you many studies that show in terms of other particles for the lungs that has been shown to cause inflammation in other areas. For example, in the case of Ghio and other investigators, you	Page 301
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	toxicology, you do not have to have the presence. Although, in early studies they have found talc particles not only in the ovary, but also in the lymph node in the lymphatics that drain the ovary. Q. Cite for me any study that has reported inflammation in the ovaries from inflammation of due to a particle in the lung strike that. Is it your contention that inflammation in the lung due to a particle will cause inflammation in the ovaries? MS. O'DELL: Objection to	1 1 1 1 1 1	2 3 4 5 6 7 8 9 0 1 2 3 4 5	can I can cite you many studies that show in terms of other particles for the lungs that has been shown to cause inflammation in other areas. For example, in the case of Ghio and other investigators, you will find inflammation not only in the blood by the measurement of cytokines in the blood, even though the first target organ was the was the lungs. Also, if you look at obesity, obesity is a pro-oxidant	Page 301
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	toxicology, you do not have to have the presence. Although, in early studies they have found talc particles not only in the ovary, but also in the lymph node in the lymphatics that drain the ovary. Q. Cite for me any study that has reported inflammation in the ovaries from inflammation of due to a particle in the lung strike that. Is it your contention that inflammation in the lung due to a particle will cause inflammation in the ovaries? MS. O'DELL: Objection to form.	1 1 1 1 1 1 1	2 3 4 5 6 7 8 9 0 1 2 3 4 5 6	can I can cite you many studies that show in terms of other particles for the lungs that has been shown to cause inflammation in other areas. For example, in the case of Ghio and other investigators, you will find inflammation not only in the blood by the measurement of cytokines in the blood, even though the first target organ was the was the lungs. Also, if you look at obesity, obesity is a pro-oxidant state, and that can generate	Page 301
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	toxicology, you do not have to have the presence. Although, in early studies they have found talc particles not only in the ovary, but also in the lymph node in the lymphatics that drain the ovary. Q. Cite for me any study that has reported inflammation in the ovaries from inflammation of due to a particle in the lung strike that. Is it your contention that inflammation in the lung due to a particle will cause inflammation in the ovaries? MS. O'DELL: Objection to form. THE WITNESS: I'm telling	1 1 1 1 1 1 1	2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7	can I can cite you many studies that show in terms of other particles for the lungs that has been shown to cause inflammation in other areas. For example, in the case of Ghio and other investigators, you will find inflammation not only in the blood by the measurement of cytokines in the blood, even though the first target organ was the was the lungs. Also, if you look at obesity, obesity is a pro-oxidant state, and that can generate the reason obesity causes other	Page 301
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	toxicology, you do not have to have the presence. Although, in early studies they have found talc particles not only in the ovary, but also in the lymph node in the lymphatics that drain the ovary. Q. Cite for me any study that has reported inflammation in the ovaries from inflammation of due to a particle in the lung strike that. Is it your contention that inflammation in the lung due to a particle will cause inflammation in the ovaries? MS. O'DELL: Objection to form. THE WITNESS: I'm telling you that MS. O'DELL: Go ahead. THE WITNESS: there's	1 1 1 1 1 1 1 1 1 2	2 3 4 4 5 6 7 8 9 0 1 2 3 4 4 5 6 7 8 9 0 0	can I can cite you many studies that show in terms of other particles for the lungs that has been shown to cause inflammation in other areas. For example, in the case of Ghio and other investigators, you will find inflammation not only in the blood by the measurement of cytokines in the blood, even though the first target organ was the was the lungs. Also, if you look at obesity, obesity is a pro-oxidant state, and that can generate the reason obesity causes other health effects is because it's a big mass of inflammation. And the inflammation in that particular	Page 301
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	toxicology, you do not have to have the presence. Although, in early studies they have found talc particles not only in the ovary, but also in the lymph node in the lymphatics that drain the ovary. Q. Cite for me any study that has reported inflammation in the ovaries from inflammation of due to a particle in the lung strike that. Is it your contention that inflammation in the lung due to a particle will cause inflammation in the ovaries? MS. O'DELL: Objection to form. THE WITNESS: I'm telling you that MS. O'DELL: Go ahead. THE WITNESS: there's biological plausibility to suggest	1 1 1 1 1 1 1 1 2 2	2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 8 9 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	can I can cite you many studies that show in terms of other particles for the lungs that has been shown to cause inflammation in other areas. For example, in the case of Ghio and other investigators, you will find inflammation not only in the blood by the measurement of cytokines in the blood, even though the first target organ was the was the lungs. Also, if you look at obesity, obesity is a pro-oxidant state, and that can generate the reason obesity causes other health effects is because it's a big mass of inflammation. And the inflammation in that particular site of all those fatty cells,	Page 301
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	toxicology, you do not have to have the presence. Although, in early studies they have found talc particles not only in the ovary, but also in the lymph node in the lymphatics that drain the ovary. Q. Cite for me any study that has reported inflammation in the ovaries from inflammation of due to a particle in the lung strike that. Is it your contention that inflammation in the lung due to a particle will cause inflammation in the ovaries? MS. O'DELL: Objection to form. THE WITNESS: I'm telling you that MS. O'DELL: Go ahead. THE WITNESS: there's biological plausibility to suggest that.	1 1 1 1 1 1 1 1 1 2 2 2 2	2 3 4 4 5 6 7 8 9 0 1 2 3 4 4 5 6 7 8 9 0 1 2 2 3 4 5 6 7 8 9 0 1 2 2 2 3 4 5 6 7 8 9 0 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	can I can cite you many studies that show in terms of other particles for the lungs that has been shown to cause inflammation in other areas. For example, in the case of Ghio and other investigators, you will find inflammation not only in the blood by the measurement of cytokines in the blood, even though the first target organ was the was the lungs. Also, if you look at obesity, obesity is a pro-oxidant state, and that can generate the reason obesity causes other health effects is because it's a big mass of inflammation. And the inflammation in that particular site of all those fatty cells, they can release inflammatory	Page 301
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	toxicology, you do not have to have the presence. Although, in early studies they have found talc particles not only in the ovary, but also in the lymph node in the lymphatics that drain the ovary. Q. Cite for me any study that has reported inflammation in the ovaries from inflammation of due to a particle in the lung strike that. Is it your contention that inflammation in the lung due to a particle will cause inflammation in the ovaries? MS. O'DELL: Objection to form. THE WITNESS: I'm telling you that MS. O'DELL: Go ahead. THE WITNESS: there's biological plausibility to suggest	1 1 1 1 1 1 1 1 2 2 2 2 2	2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 8 9 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	can I can cite you many studies that show in terms of other particles for the lungs that has been shown to cause inflammation in other areas. For example, in the case of Ghio and other investigators, you will find inflammation not only in the blood by the measurement of cytokines in the blood, even though the first target organ was the was the lungs. Also, if you look at obesity, obesity is a pro-oxidant state, and that can generate the reason obesity causes other health effects is because it's a big mass of inflammation. And the inflammation in that particular site of all those fatty cells,	Page 301

1 BY MR. HEGARTY: 1 cadmium.	Page 304
	<u> </u>
2 Q. So is it your opinion for 2 Q. So in other words a lo	ot of
3 purposes of your biological 3 particles besides talc, according	
4 plausibility strike that. 4 can cause inflammation of the l	
5 Is it is your biological 5 correct?	<i>U</i> ,
6 plausibility opinion that talc inhaled 6 A. Many do. There are of	others
7 and in the lungs causes inflammation in 7 that do not, like titanium dioxid	
8 the ovaries that can lead to ovarian 8 were used in many studies as a	
9 cancer? 9 Q. And those nanopartic	
10 A. There's plausibility for 10 those air particles	
11 that, yes. 11 A. In fact	
12 Q. And can you cite for me any 12 Q those diesel particle	es.
13 published authority that says that talc 13 A. I'm sorry.	
14 inhaled in the lungs will cause 14 Q. Okay. And those	
15 inflammation in the ovaries that can lead 15 nanoparticles, those diesel particles	icles,
16 to ovarian cancer? 16 air particles that can cause infla	
17 A. There's multiple parts of 17 in the lungs, will also cause	
18 that question. 18 inflammation in the ovaries, co	rrect?
19 Q. That's a very specific 19 MS. O'DELL: Objecti	on to
20 question to that very specific subject 20 form.	
21 area. Can you cite to me any published 21 THE WITNESS: I said	d they
22 literature that says that? 22 will cause inflammation	
23 MS. O'DELL: Would you mind 23 systemically. I did not inde	icate
24 repeating the full question or 24 the ovaries.	
Page 303	Page 305
1 read it. 1 BY MR. HEGARTY:	
2 THE WITNESS: Any published 2 Q. Well, there's no the	re's
3 authority that says that that 3 nothing unique about talc partic	
4 says that talc inhaled in the 4 versus the other particles you n	
5 lungs will cause inflammation in 5 correct?	
6 the ovaries that can lead to 6 MS. O'DELL: Object	to form.
o are started that can read to	
7 ovarian cancer. 7 THE WITNESS: Size,	
J J	-
7 ovarian cancer. 7 THE WITNESS: Size	
7 ovarian cancer. 7 THE WITNESS: Size 8 For that particular, and 8 composition, they they	they
7 THE WITNESS: Size, 8 For that particular, and 8 composition, they they 9 that specific of a question, I 9 particles particles are they can be different 10 cannot cite you. 10 can they can be different 11 BY MR. HEGARTY: 11 they can be the same. So respectively.	they and
7 THE WITNESS: Size, 8 For that particular, and 9 that specific of a question, I 10 cannot cite you. 7 THE WITNESS: Size, 8 composition, they they 9 particles particles are 10 can they can be different	they and nany
7 THE WITNESS: Size, 8 For that particular, and 8 composition, they they 9 that specific of a question, I 9 particles particles are 10 cannot cite you. 10 can they can be different 11 BY MR. HEGARTY: 11 they can be the same. So r 12 Q. You have published 12 studies use model particles 13 extensively on particulates in the air 13 look at a negative effect like	they and nany s to
7 THE WITNESS: Size, 8 For that particular, and 8 composition, they they 9 that specific of a question, I 9 particles particles are 10 cannot cite you. 10 can they can be different 11 BY MR. HEGARTY: 11 they can be the same. So r 12 Q. You have published 12 studies use model particles 13 extensively on particulates in the air 13 look at a negative effect lik 14 causing inflammation in the lungs, 14 the Shukla study where the	they and many s to se in
7 THE WITNESS: Size. 8 For that particular, and 8 composition, they they 9 that specific of a question, I 9 particles particles are 10 cannot cite you. 10 can they can be different 11 BY MR. HEGARTY: 11 they can be the same. So r 12 Q. You have published 12 studies use model particles 13 extensively on particulates in the air 13 look at a negative effect lik 14 causing inflammation in the lungs, 14 the Shukla study where the 15 correct? 15 titanium dioxide particles	they and many s to ke in ey used
7 THE WITNESS: Size, 8 For that particular, and 9 that specific of a question, I 10 cannot cite you. 11 BY MR. HEGARTY: 12 Q. You have published 13 extensively on particulates in the air 14 causing inflammation in the lungs, 15 correct? 16 A. In the lungs and 7 THE WITNESS: Size, 8 composition, they they 9 particles particles are they can be different 10 can they can be different 11 they can be the same. So really the studies use model particles are they can be the same. So really they can be the same are studies use model particles are they can be the same. So really they can be the same are studies use model particles are they can be the same. So really they can be the same are studies use model particles are they can be the same. So really they can be the same are studies use model particles are they can be different to they can be the same. So really they can be the same are studies use model particles are they can be the same. So really they can be the same are studies use model particles are they can be the same. So really they can be the same are studies use model particles are they can be the same. So really they can be the same are studies use model particles are they can be the same. So really they can be the same are studies use model particles are they can be the same. So really they can be the same are studies use model particles are they can be the same. So really they can be the same are studies use model particles are they can be they can be the same. So really they can be the same are studies are they can be they can	they and many s to ke in ey used
7 THE WITNESS: Size, 8 For that particular, and 9 that specific of a question, I 10 cannot cite you. 11 BY MR. HEGARTY: 12 Q. You have published 13 extensively on particulates in the air 14 causing inflammation in the lungs, 15 correct? 16 A. In the lungs and 17 systemically. 7 THE WITNESS: Size, 8 composition, they they 9 particles particles are to can they can be different 10 can they can be the same. So recan like the studies use model particles are to can they can be the same. So recan like the studies use model particles are to can they can be the same. So recan like the studies use model particles are to can they can be different to can they can be the same. So recan like the studies use model particles are to can they can be the same. So recan like the studies use model particles are to can they can be the same. So recan like the studies use model particles are to can they can be the same. So recan like the studies use model particles are to can they can be the same. So recan like the studies use model particles are to can they can be the same. So recan like the studies use model particles are to can they can be the same. So recan like the studies use model particles are to can they can be the same. So recan like the studies use model particles are to can they can be the same. So recan like the studies use model particles are to can they can be different to can they can be dif	they and many s to see in ey used of a
7 THE WITNESS: Size, 8 For that particular, and 9 that specific of a question, I 10 cannot cite you. 11 BY MR. HEGARTY: 12 Q. You have published 13 extensively on particulates in the air 14 causing inflammation in the lungs, 15 correct? 16 A. In the lungs and 17 systemically. 18 Q. And those particulates 17 THE WITNESS: Size, 8 composition, they they 9 particles particles are to can they can be different 10 can they can be different 11 they can be the same. So r 12 studies use model particles are to can they can be different 13 look at a negative effect like the Shukla study where the studies in the ir as a control and got no gene expenses. 14 control and got no gene expenses. 15 control and got no gene expenses.	they and many s to see in ey used of a
7 THE WITNESS: Size. 8 For that particular, and 8 composition, they they 9 that specific of a question, I 9 particles particles are 10 cannot cite you. 10 can they can be different 11 BY MR. HEGARTY: 11 they can be the same. So r 12 Q. You have published 12 studies use model particles 13 extensively on particulates in the air 13 look at a negative effect lik 14 causing inflammation in the lungs, 14 the Shukla study where the 15 correct? 15 titanium dioxide particles of 16 A. In the lungs and 16 similar size in their as a 17 systemically. 17 control and got no gene ex 18 Q. And those particulates 19 include? 19 Particles in the air, if	they and many s to se in ey used of a pression
7 THE WITNESS: Size, 8 For that particular, and 9 that specific of a question, I 10 cannot cite you. 11 BY MR. HEGARTY: 12 Q. You have published 13 extensively on particulates in the air 14 causing inflammation in the lungs, 15 correct? 16 A. In the lungs and 17 systemically. 18 THE WITNESS: Size, 18 composition, they they 19 particles particles are 10 can they can be different 11 they can be the same. So r 12 studies use model particles 13 look at a negative effect like 14 the Shukla study where the 15 titanium dioxide particles of 16 and 16 similar size in their as a 17 systemically. 18 control and got no gene ex 19 control and got no gene ex 19 Particles in the air, if 20 A. Air particulates; 20 you're looking at there are	they and many to se in ey used of a pression
7 THE WITNESS: Size, 8 For that particular, and 9 that specific of a question, I 10 cannot cite you. 11 BY MR. HEGARTY: 12 Q. You have published 13 extensively on particulates in the air 14 causing inflammation in the lungs, 15 correct? 16 A. In the lungs and 17 systemically. 18 Q. And those particulates 19 include? 20 A. Air particulates; 21 particulate matter, called PM, ambient 2 composition, they they 8 composition, they they 9 particles particles are they can be different 10 can they can be different 11 they can be the same. So result they can be they can be different they ca	they and many to te in ey used of a pression re ow a
7 THE WITNESS: Size, 8 For that particular, and 9 that specific of a question, I 10 cannot cite you. 11 BY MR. HEGARTY: 12 Q. You have published 13 extensively on particulates in the air 14 causing inflammation in the lungs, 15 correct? 16 A. In the lungs and 17 systemically. 18 Q. And those particulates 19 include? 19 Q. And those particulates; 20 A. Air particulates; 21 particulate matter, called PM, ambient 22 PM; diesel exhaust particles. I'm also 2 composition, they they 8 composition, they they 9 particles particles are to a composition, they they 10 cannot cite you. 10 can they can be different 11 they can be the same. So result they can be they can be different they can be dif	they and many a to se in ey used of a pression re ow a g size,
7 THE WITNESS: Size, 8 For that particular, and 9 that specific of a question, I 10 cannot cite you. 11 BY MR. HEGARTY: 12 Q. You have published 13 extensively on particulates in the air 14 causing inflammation in the lungs, 15 correct? 16 A. In the lungs and 17 systemically. 18 Q. And those particulates 19 include? 20 A. Air particulates; 21 particulate matter, called PM, ambient 2 composition, they they 8 composition, they they 9 particles particles are they can be different 10 can they can be different 11 they can be the same. So result they can be they can be different they ca	they and many s to se in ey used of a pression re ow a g size,

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	Page 30	6		Page 308
1	BY MR. HEGARTY:	1	same inflammation that you believe that	
2	Q. Well, by your methodology,	2	talc does, correct?	
3	any particle inhaled that causes	3	A. Inflammation is	
4	inflammation in the lungs is biologically	4	characterized by certain key components.	
5	plausible, can lead to ovarian cancer,	5	Inflammation whether it's an	
6	correct?	6	inflammation in the ovary or an	
7	MS. O'DELL: Object to form.	7	inflammation in the lung or inflammation	
8	THE WITNESS: No, it can	8	in the kidney, inflammation is an immune	
9	sorry. It can lead to	9	response. And it's going to involve key	
10	inflammation systemically.	10	cells, including the macrophage, the	
11	BY MR. HEGARTY:	11	neutrophil, the natural killer cell, all	
12	Q. That can lead to ovarian	12	of which can produce reactive oxygen	
13	cancer, correct?	13	species well, primarily the	
14	A. Inflammation	14	macrophages and neutrophils produce	
15	MS. O'DELL: Object to the	15	oxygen radicals.	
16	form.	16	However, the natural killer	
17	Go ahead.	17	cell, they all produce cytokines, which	
18	THE WITNESS: Sorry.	18	can produce inflammation. So	
19	MS. O'DELL: Sorry.	19	inflammation is characterized by the same	
20	THE WITNESS: Inflammation	20	components.	
21	is responsible for in my	21	Q. And you can't cite for me	
22	opinion, is the underlying	22	any different components of the	
23	mechanism, a key underlying	23 24	inflammation caused by cadmium as you	
24	mechanism for the association for	24	believe the inflammation that is caused	
	Page 30	7		Page 309
1	_	7 1	by talc, correct?	Page 309
1 2	ovarian cancer, yes. BY MR. HEGARTY:	7 1 2	by tale, correct? A. When I measured inflammatory	Page 309
1 2 3	ovarian cancer, yes.	1		Page 309
2	ovarian cancer, yes. BY MR. HEGARTY:	1 2	A. When I measured inflammatory	Page 309
3	ovarian cancer, yes. BY MR. HEGARTY: Q. And that mechanism can be	1 2 3	A. When I measured inflammatory responses to the inhalation of cadmium	Page 309
2 3 4	ovarian cancer, yes. BY MR. HEGARTY: Q. And that mechanism can be initiated by any particle inhaled into the lungs, correct? A. No, it's	1 2 3 4	A. When I measured inflammatory responses to the inhalation of cadmium nanoparticles, I looked for the standard inflammatory markers. So I measured in the lung and in the circulation. I	Page 309
2 3 4 5 6 7	ovarian cancer, yes. BY MR. HEGARTY: Q. And that mechanism can be initiated by any particle inhaled into the lungs, correct? A. No, it's MS. O'DELL: Objection to	1 2 3 4 5 6 7	A. When I measured inflammatory responses to the inhalation of cadmium nanoparticles, I looked for the standard inflammatory markers. So I measured in the lung and in the circulation. I measured the percentages of neutrophils,	Page 309
2 3 4 5 6 7 8	ovarian cancer, yes. BY MR. HEGARTY: Q. And that mechanism can be initiated by any particle inhaled into the lungs, correct? A. No, it's MS. O'DELL: Objection to form.	1 2 3 4 5 6 7 8	A. When I measured inflammatory responses to the inhalation of cadmium nanoparticles, I looked for the standard inflammatory markers. So I measured in the lung and in the circulation. I measured the percentages of neutrophils, which is a key indicator, key criteria	Page 309
2 3 4 5 6 7 8 9	ovarian cancer, yes. BY MR. HEGARTY: Q. And that mechanism can be initiated by any particle inhaled into the lungs, correct? A. No, it's MS. O'DELL: Objection to form. THE WITNESS: Sorry.	1 2 3 4 5 6 7 8 9	A. When I measured inflammatory responses to the inhalation of cadmium nanoparticles, I looked for the standard inflammatory markers. So I measured in the lung and in the circulation. I measured the percentages of neutrophils, which is a key indicator, key criteria for inflammation. I determined	Page 309
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		Page 310			Page 312
1	A. I did not do talc inhalation	1	1	because I haven't investigated	
	in my laboratory. The studies		2	that literature.	
3	indicate looked for the same thing.		3	But inflammation	
4	They look for changes in gene expression		4	inflammation doesn't change. It	
5	of activating transcription factors.		5	can get out of the particular	
6	They did in the Shukla study.		6	local organ. I don't think that	
7	They look for the percentage		7	cadmium has been investigated in	
8	of neutrophils. They look for macrophage		8	terms of the ovary. It's	
9	activation. We all look at the same		9	certainly been investigated in	
10	thing when coming to the conclusion of		10	terms of the kidney, which is	
11	inflammation.		11	local which is systemically a	
12	Q. And according to you, talc		12	distant organ from the local	
13	and cadmium act similarly with regard to		13	target, which is the lung. And it	
14	inducing inflammation in the lungs?		14	can cause inflammation in the	
15	MS. O'DELL: Objection to		15	kidney.	
16	form.		16	BY MR. HEGARTY:	
17	THE WITNESS: Do they act		17	Q. You haven't identified any	
18	similarly? Well, I think I		18	differences between the inflammation	
19	answered that question.		19	caused by other particulates and the	
20	Inflammation is is the		20	inflammation caused by talc, correct?	
21	inflammation is modified by the		21	MS. O'DELL: Objection to	
22	same components, the same soluble		22	form.	
23	factors, the same cell type		23	THE WITNESS: Inflammation	
24	factors, including macrophages and		24	is inflammation.	
	increasing interophages and			is inflammation.	
		Page 311			Page 313
1	neutrophils, dendritic cells,	Page 311	1	BY MR. HEGARTY:	Page 313
2	neutrophils, dendritic cells, whatever. So inflammation,	Page 311	1 2	BY MR. HEGARTY: Q. You referred to fragrances.	Page 313
		Page 311			Page 313
2	whatever. So inflammation,	Page 311	2	Q. You referred to fragrances.	Page 313
2 3	whatever. So inflammation, whether it's acute or chronic inflammation used the same parameters.	Page 311	2 3	Q. You referred to fragrances.A. I'm sorry. Could you give	Page 313
2 3 4 5 6	whatever. So inflammation, whether it's acute or chronic inflammation used the same	Page 311	2 3 4	Q. You referred to fragrances.A. I'm sorry. Could you give me a page?	Page 313
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2 3 4 5 6 7 8 9	whatever. So inflammation, whether it's acute or chronic inflammation used the same parameters. We call inflammation we call inflammation when you in a tissue or in organs when you see these characteristics. And we say	Page 311	2 3 4 5 6 7 8 9	Q. You referred to fragrances. A. I'm sorry. Could you give me a page? Q. Over on Page 12. You cite to a single study that discusses what exposure levels of these fragrances have been shown to induce a biologically plausible effect in the ovary.	Page 313
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		Page 314			Page 316
1	A. No one specifically to my		1	metals, but there's also if you look	
2	knowledge, no one specifically looked at		2	at nickel and it's a micronutrient, so	
3	inflammation in the ovaries. But again,		3	you can have very, very, very tiny	
4	if you go back to the idea of		4	amounts in the body very tiny. And it	
5	inflammation being caused by a particle		5	can be used as a micronutrient.	
6	at a local site and then having the		6	You can have lead, but that	
7	potential or having the capacity I		7	should not be in the body at all. And	
8	should say, to to have that		8	there is no safe level of lead. So	
9	inflammation go to a distant a more		9	despite what the regulatory agencies say,	
10	distant site.		10	there is no safe level which is what	
11	So the fact that no one has		11	their conclusion is moving towards.	
12	looked at it does not delete the fact		12	And so a metal is not a	
13	that certainly inflammation can get to		13	metal is not a metal.	
14	distant sites, including the ovary.		14	Now, when you look at these	
15	Q. Well, what is the dose of		15	three metals, so for example you have	
16	nickel or and cobalt and chromium		16	nickel which is classified as a 1A	
17	individually that must that the woman		17	carcinogen, but	
18	must be exposed to in vivo to induce		18	Q. I'll withdraw the question.	
19	inflammation in the ovaries?		19	You're not Doctor, you're not	
20	MS. O'DELL: Object to the		20	answering my question.	
21	form. Asked and answered.		21	MS. O'DELL: She is	
22	THE WITNESS: There are		22	answering your question.	
23	as I said, there's really one		23	MR. HEGARTY: No, she is	
24	particle, one piece can start the		24	not.	
	1 , 1				
		Page 315			Page 317
1	process for inflammation.	Page 315	1	MS. O'DELL: Yes, she is.	Page 317
2	BY MR. HEGARTY:	Page 315	2	And if you don't let her	Page 317
	BY MR. HEGARTY: Q. So it	Page 315	2 3	And if you don't let her finish.	Page 317
2 3 4	BY MR. HEGARTY: Q. So it A. It could be one.	Page 315	2 3 4	And if you don't let her finish. MR. HEGARTY: Okay.	Page 317
2 3 4 5	BY MR. HEGARTY: Q. So it A. It could be one. Q it's your opinion that	Page 315	2 3 4 5	And if you don't let her finish. MR. HEGARTY: Okay. We'll we'll call Judge Pisano	Page 317
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		Page 318		Page 320
1	answering your question, she		either inhaled or applied to the perineum	
	she gets the right to finish her		**	
$\begin{vmatrix} 2 \\ 3 \end{vmatrix}$	answer. You don't cut her off,			
4	Mark.			
5	MR. HEGARTY: Let's go off			
6	the record.			
7	MS. O'DELL: No, we're not		A. My professional opinion as a	
8	going off the record. She's	(8		
9	finishing her answer.	9		
10	MR. HEGARTY: Let's go off	10		
11	the record. I'm not	1	opinion that one particle of cobalt,	
12	MS. O'DELL: And then you	12	2 either inhaled or applied to the	
13	can ask her another question.	1.	perineum, will induce inflammation in the	
14	MR. HEGARTY: Let's go off	1.		
15	the record. It's my deposition.	1:		
16	MS. O'DELL: No. It's your	10	it it could. It has the biological	
17	deposition, but it's not fair to	1	1 2 7	
18	mistreat this witness if she is	1:		
19	answering your question.	19		
20	MR. HEGARTY: I'm not	20		
21	mistreating the witness.	2	the state of the s	
22	MS. O'DELL: Yes, you are.	22		
23	MR. HEGARTY: We'll go off	2.		
24	the record and call Judge Pisano.	24	for that opinion?	
		i i		
		Page 319		Page 321
1	MS. O'DELL: You are	_	A. My professional opinion.	Page 321
1 2	MS. O'DELL: You are mistreating the witness by not	_	A. My professional opinion. Q. Is it your opinion that one	Page 321
1 2 3	mistreating the witness by not	Page 319	Q. Is it your opinion that one	Page 321
2			Q. Is it your opinion that one particle of chromium, either inhaled or	Page 321
2 3	mistreating the witness by not allowing her to finish her		Q. Is it your opinion that one particle of chromium, either inhaled or applied to the perineum, will induce	Page 321
2 3 4	mistreating the witness by not allowing her to finish her MR. HEGARTY: I withdrew the		Q. Is it your opinion that one particle of chromium, either inhaled or applied to the perineum, will induce inflammation in the ovaries?	Page 321
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		Page 322			Page 324
1	MS. O'DELL: Objection to		1	lumped. And particles oftentimes,	
2	form.		2	if they're different in size, if	
2 3	THE WITNESS: It could,		3	they're different in chemical	
4	because inflammation again could		4	structure, if they have iron or	
5	leave the target site. And it		5	don't have iron, you have you	
6	depends on the form of the metal.		6	may have differences.	
7	So we have soluble metals		7	BY MR. HEGARTY:	
8	I don't want to go on too long.		8	Q. Will one particle from	
9	You have soluble metals and		9	diesel exhaust, inhaled or applied to the	
10	insoluble metals. Some of them		10	perineum, cause inflammation in the	
11	are more toxic and more and		11	ovary?	
12	potentially more carcinogenic than		12	MS. O'DELL: Object to the	
13	other forms. There are many salts		13	form.	
14	within those metals that you gave.		14	THE WITNESS: Again, same	
15	BY MR. HEGARTY:		15	answer, it could. Depends on the	
16	Q. And what authority do you		16	particle size, the particle type,	
17	have for the statement that one particle		17	the particle morphology. And it	
18	of chromium, either inhaled or applied to		18	has the potential to induce	
19	the perineum, will induce inflammation in		19	inflammation as shown in cells.	
20	the ovaries?		20	And can produce an oxidant state.	
21	A. My professional judgment.		21	BY MR. HEGARTY:	
22	Q. Will one particle of the		22	Q. Doesn't inflammation just	
23	fragrance of the chemicals that you list		23	reflect the body's normal response to the	
24	from the fragrances, either inhaled or		24	presence of the particles?	
		Page 323			Page 325
1	applied to the perineum, cause	Page 323	1	A. There are two there are	Page 325
1 2	applied to the perineum, cause inflammation to the ovaries?	Page 323	1 2		Page 325
1 2 3	inflammation to the ovaries?	Page 323	1 2 3	A. There are two there are two forms of well, there are multiple forms of inflammation. But the two that	Page 325
2		Page 323		two forms of well, there are multiple	Page 325
2 3	inflammation to the ovaries? MS. O'DELL: Objection to	Page 323	3	two forms of well, there are multiple forms of inflammation. But the two that are of concern and in in response to	Page 325
2 3 4	inflammation to the ovaries? MS. O'DELL: Objection to the form. THE WITNESS: If I I	Page 323	3 4	two forms of well, there are multiple forms of inflammation. But the two that	Page 325
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2 3 4 5 6	inflammation to the ovaries? MS. O'DELL: Objection to the form. THE WITNESS: If I I don't have the knowledge, I don't	Page 323	3 4 5	two forms of well, there are multiple forms of inflammation. But the two that are of concern and in in response to your question, is that they are acute inflammation and there is chronic inflammation.	Page 325
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		Page 326			Page 328
1	response to kill or negatively impact		1	inflammation. Not that they involve	- 18 2-
2	that particular particle.		2	different cell types or different	
3	That will then that's an		3	mechanisms. But they are called, in	
4	innate immune response being active.		4	terms of timing or temporality, acute	
5	That will then, in some cases, upregulate		5	which will kill whatever right away and	
6	the T-cell and and humoral or and		6	then chronic which unfortunately keeps	
7	cell-mediated immune response.		7	playing back on itself and the	
8	Now, that is, in terms of		8	inflammation will continue.	
9	cancers and in terms of tumors, that is		9	Q. Granulomas which you just	
10	called immunosurveillance and that's the		10	mentioned don't cause cancer, correct?	
11	first thing. And you're absolutely		11	A. Granulomas do not I'm	
12	right. The purpose of the immune system		12	sorry.	
13	is to protect the body. That is the		13	Q. Granulomas which you just	
14	function.		14	mentioned don't cause cancer, correct?	
15	However, there are three		15	A. Granulomas are in response	
16	stages or three types of processes for		16	to a foreign body. In the case of	
17	the immune system in carcinogenesis. The		17	asbestos or in the case of another type	
18	second being immuno equilibrium. But the		18	of fiber, macrophage will come over and	
19	part that is the last part is that the		19	their normal process in what we call	
20	tumor can actually quiet or cause		20	innate immunity is to engulf the fiber.	
21	immunosenescence of the immune system.		21	And unfortunately, many times the fiber	
22	So in a chronic		22	cannot be engulfable or the particle	
23	inflammation, it does not always act in		23	cannot be engulfable.	
24	the best interest of the of the host		24	And so many macrophage will	
		Page 327			Page 329
1	but in the best interest of the tumor.	Page 327	1	come over, and they will try to engulf it	Page 329
1 2	but in the best interest of the tumor. So your the answer to	Page 327	1 2	come over, and they will try to engulf it as a body. And that is called a	Page 329
		Page 327			Page 329
2	So your the answer to	Page 327	2	as a body. And that is called a	Page 329
2 3	So your the answer to your question is yes, that's the function	Page 327	2 3	as a body. And that is called a granulomatous reaction.	Page 329
2 3 4	So your the answer to your question is yes, that's the function of it. But it can behave, it's a	Page 327	2 3 4	as a body. And that is called a granulomatous reaction. And that's what happens	Page 329
2 3 4 5	So your the answer to your question is yes, that's the function of it. But it can behave, it's a two-prong sword.	Page 327	2 3 4 5	as a body. And that is called a granulomatous reaction. And that's what happens during tuberculosis when the organism	Page 329
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	Page	330		Page 332
1	inflammation.	1	A. Fibrosis does not morph or	
2	Q. And there's no literature	2	turn into cancer. That is correct.	
3	linking fibrosis to cancer, correct?	3	Q. In Section 12 I'm sorry.	
4	MS. O'DELL: Object to the	4	On Page 12, under your section	
5	form.	5	"exposure," talc particle access to the	
6	THE WITNESS: My	6	body.	
7	professional opinion is that there	7	Do you see that section?	
8	is literature let me just read	8	A. Is this Paragraph 1, 2, or	
9	over the question, please.	9	3?	
10	So fibrosis is produced by	10	Q. Well, I'm looking just at	
11	release of factors from the	11	the Section Number 4 right now.	
12	macrophage. And it causes	12		
13	scarring within that particular	13	-	
14	target organ.	14	\mathcal{E}	
15	Now, whether or not that	15	•	
16	those that scarring can	16	*	
17	actually make that site more	17		
18	vulnerable to cancer, like in the	18	1	
19	case of hepatitis, where you get	19		
20	scarring, and you get cancer as a	20		
21	result of that particular	21	1 &	
22	fibrosis, but they are two	22		
23	different diseases.	23	* ** · · · · · · · · · · · · · · · · ·	
24	But whether the area of	24		
	But whether the dead of			
	Page	331		Page 333
1	Fage fibrosis creates a more vulnerable	331	literature or review the literature prior	Page 333
2		1 2	to being contacted. But I studied it and	Page 333
	fibrosis creates a more vulnerable tissue base that can that can progress or go to cancer is a	1 2 3	to being contacted. But I studied it and reviewed it extensively after being	Page 333
2 3 4	fibrosis creates a more vulnerable tissue base that can that can progress or go to cancer is a question that there is some	1 2 3 4	to being contacted. But I studied it and reviewed it extensively after being contacted.	Page 333
2 3	fibrosis creates a more vulnerable tissue base that can that can progress or go to cancer is a question that there is some examples of, but in the liver	1 2 3	to being contacted. But I studied it and reviewed it extensively after being contacted.	Page 333
2 3 4 5 6	fibrosis creates a more vulnerable tissue base that can that can progress or go to cancer is a question that there is some	1 2 3 4	to being contacted. But I studied it and reviewed it extensively after being contacted.	Page 333
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		ge 334			Page 336
1	But in and of itself talc cannot		1	the form.	
2	penetrate through the skin.		2	BY MR. HEGARTY:	
3	However, we're not when		3	Q. Correct?	
4	we're talking about perineal or vaginal		4	MS. O'DELL: Excuse me. You	
5	application, you are not talking about an		5	may answer his question any way	
6	epidermal subcutaneous keratinized skin.		6	you'd want to, Doctor.	
7	Q. None of the studies that you		7	THE WITNESS: None of these	
8	cite in this paragraph researched		8	that I have stated on Page 12	
9	particle transport through the		9	refer to perineal exposure in the	
10	reproductive tract through perineal		10	second paragraph in terms of	
11	application, correct?		11	Venter, Iturralde, Sjosten and	
12	MS. O'DELL: Object to the		12	Heller.	
13 14	form. THE WITNESS: These it is		13	However, on Page on Page	
15			14 15	13, there is a study by Keskin, who used rats and did a vaginal or	
	extremely technically difficult,			<u> </u>	
16 17	from my knowledge as an animal toxicologist, to do perineal		16 17	perineum to talc. BY MR. HEGARTY:	
18	application to a mouse.		18	Q. I'm going to move to strike.	
19	BY MR. HEGARTY:		19	We're going to go off the record.	
20	Q. I'm going to withdraw the		20	MR. HEGARTY: We're going to	
21	question. Doctor, you will not respond		21	call Judge Pisano. There's no	
22	to my question. My question is simply,		22	reason to add that additional part	
23	none of the studies that you cite in this		23	to the answer to that question.	
24	paragraph researched particle transport		24	And I'm not I'm tired of that	
	paragraph researched particle transport		2-	7 ma rm not rm thea or that	
	Pag	ge 335			Page 337
1	Pag through the reproductive tract through	ge 335	1	happening. So we'll call him	Page 337
1 2		ge 335	1 2	happening. So we'll call him unless you're going to talk to the	Page 337
	through the reproductive tract through	ge 335			Page 337
2	through the reproductive tract through perineal application. That's correct?	ge 335	2	unless you're going to talk to the	Page 337
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	Page 340
1 MR. HEGARTY: Let's go off 1 have looked at transport of dry po	owder
2 the record. 2 talc to the perineum showing that	
3 MS. O'DELL: The suggestion 3 that talc transports to the ovaries,	
4 that there's let me just 4 correct?	
5 before we go off the record, the 5 MS. O'DELL: Object to	the
6 suggestion that there's somehow a 6 form.	
7 plan to is incorrect, and 7 THE WITNESS: When	we say
8 improper. So if you want to go 8 when you say talc, you're	
9 off the record, I think you've got 9 referring to talcum powder	
an answer to your question, which 10 products?	
was, "No, not in the paragraph." 11 BY MR. HEGARTY:	
However, she has a right to 12 Q. Correct, correct.	
point to evidence in her report. 13 A. That's correct to my	
14 That's perfectly appropriate. 14 knowledge.	
15 MR. HEGARTY: We'll let 15 Q. And are you aware that	talc
Judge Pisano decide. We'll go off 16 is in toilet paper?	
17 the record. 17 A. Yes, I just learned that	
18 THE VIDEOGRAPHER: The time 18 recently.	
is 3:39 p.m. Going off the Q. Can talc in toilet paper	
20 record. 20 migrate to the ovaries?	
21 (Short break.) 21 MS. O'DELL: Object to	the
22 THE VIDEOGRAPHER: The time 22 form.	
is 4:04 p.m. Back on the record. 23 THE WITNESS: Can	· my
24 MR. HEGARTY: We're back on 24 knowledge is that talc in toil	et
Page 339	Page 341
	Page 341
1 the record and we're going to 1 paper is is bound to the	
1 the record and we're going to 1 paper is is bound to the	
1 the record and we're going to 2 continue without calling Judge 3 Pisano at this time. But we do 1 paper is is bound to the 2 other the other component 3 there. So unless it becomes	ts
the record and we're going to continue without calling Judge Pisano at this time. But we do paper is is bound to the other the other component there. So unless it becomes	ts
the record and we're going to continue without calling Judge Pisano at this time. But we do reserve the right to ask Judge 1 paper is is bound to the 2 other the other component 3 there. So unless it becomes 4 bioavailable it cannot migrat	ts
the record and we're going to continue without calling Judge Pisano at this time. But we do reserve the right to ask Judge Pisano for more time based on our paper is is bound to the other the other component there. So unless it becomes bioavailable it cannot migrat from the toilet paper.	ts
the record and we're going to continue without calling Judge Pisano at this time. But we do reserve the right to ask Judge Pisano for more time based on our belief that Dr. Zelikoff has many 1 paper is is bound to the 2 other the other component 3 there. So unless it becomes 4 bioavailable it cannot migrat 5 from the toilet paper. 6 BY MR. HEGARTY:	ts
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1 the record and we're going to 2 continue without calling Judge 3 Pisano at this time. But we do 4 reserve the right to ask Judge 5 Pisano for more time based on our 6 belief that Dr. Zelikoff has many 7 occasions over the course of this 8 deposition not been responsive to 9 the questions asked and as a 10 result has has wasted the 11 defendant's time and to our 12 prejudice. 13 So but we're going to go 14 forward and see if we can finish 15 this deposition. 16 MS. O'DELL: Plaintiffs will 17 obviously oppose that that 18 motion. Dr. Zelikoff has been 19 Type of the questions and the continue of the perineum of the other components. 10 In paper is is bound to the content component of the content component of the content component of the content of the component of the perineum of the perineu	ts te n e is. to the form. ecomes up to
1 the record and we're going to 2 continue without calling Judge 3 Pisano at this time. But we do 4 reserve the right to ask Judge 5 Pisano for more time based on our 6 belief that Dr. Zelikoff has many 7 occasions over the course of this 8 deposition not been responsive to 9 the questions asked and as a 10 result has has wasted the 11 defendant's time and to our 12 prejudice. 13 So but we're going to go 14 forward and see if we can finish 15 this deposition. 16 MS. O'DELL: Plaintiffs will 17 obviously oppose that that 18 motion. Dr. Zelikoff has been 19 responsive to your questions. 20 BY MR. HEGARTY: 21 Q. Dr. Zelikoff, we're talking 21 A. To me, "bioavailable" responsive to the other components. 21 other the other components of the continue to the perineum of the perineum of the perineum of the other components. 21 Deposition of the perineum of the perineum of the other components. 22 Obr. Zelikoff, we're talking 23 Other the other components of the component of the perineum of the perineu	ts te n e is. to the form. ecomes up to
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1 the record and we're going to 2 continue without calling Judge 3 Pisano at this time. But we do 4 reserve the right to ask Judge 5 Pisano for more time based on our 6 belief that Dr. Zelikoff has many 7 occasions over the course of this 8 deposition not been responsive to 9 the questions asked and as a 10 result has has wasted the 11 defendant's time and to our 12 prejudice. 13 So but we're going to go 14 forward and see if we can finish 15 this deposition. 16 MS. O'DELL: Plaintiffs will 17 obviously oppose that that 18 motion. Dr. Zelikoff has been 19 responsive to your questions. 20 BY MR. HEGARTY: 21 Q. Dr. Zelikoff, we're talking 21 A. To me, "bioavailable" responsive to the other components. 21 other the other components of the continue to the perineum of the perineum of the perineum of the other components. 21 Deposition of the perineum of the perineum of the other components. 22 Obr. Zelikoff, we're talking 23 Other the other components of the component of the perineum of the perineu	ts te n e is. to the o form. ecomes up to able, means

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		Page 342			Page 344
1	O And do you know o	1 age 342	1	O Vou pand a specific page?	1 age 344
1 2	Q. And do you know a Dr. Benjamin Neel at NY University New		1 2	Q. You need a specific page? Over on Page 16. Over the course of this	
3	York University?		3	page and carrying over to the next page,	
4	A. Dr. Neel, isn't he the head		4	you cite a number of studies that refer	
5	of the cancer center?		5	to tale causing pleural inflammation,	
6	Q. He is.		6	correct?	
7	A. He is the head of the cancer		7	A. Yes.	
8	center.		8	Q. Talc causing granulomas,	
9	Q. Do you know him?		9	correct?	
10	A. I do not know him.		10	A. Yes.	
11	Q. Does he know more about		11	Q. Talc causing pulmonary	
12	cancer biology than you do?		12	interstitial fibrosis, correct?	
13			13	•	
14	MS. O'DELL: Object to the			A. Talcum powder can do those	
	form.		14	things, yes.	
15	THE WITNESS: I've not seen		15	Q. And talc causing	
16	his CV. I would assume as head of		16	carcinogenic activity in the lungs,	
17	the cancer center, that he		17	correct?	
18	probably does. Since that is not		18	A. Are you referring to a	
19	my area of study.		19	specific line?	
20	BY MR. HEGARTY:		20	Q. No, I'm not referring to a	
21	Q. Are dose-response		21	specific line. I'm talking about	
22	relationships important in evaluating		22	generally from this part of your report.	
23	potential carcinogenicity of a substance?		23	A. In general, this is the	
24	A. Dose-response		24	section on inhalation. I'm talking	
		Page 343			Page 345
1	dose-responses are contribute to, as I	Page 343	1	about yes, I'm talking about talcum	Page 345
1 2	dose-responses are contribute to, as I said frequency, duration, exposure route.	Page 343	1 2	about yes, I'm talking about talcum powder and its ability to bring about	Page 345
2	said frequency, duration, exposure route.	Page 343	2	powder and its ability to bring about	Page 345
2 3	said frequency, duration, exposure route. They all contribute to carcinogenicity.	Page 343	2 3	powder and its ability to bring about changes in the lungs that could lead to	Page 345
2 3 4	said frequency, duration, exposure route. They all contribute to carcinogenicity. Q. In other words, in	Page 343	2 3 4	powder and its ability to bring about changes in the lungs that could lead to carcinogenic carcinogenesis.	Page 345
2 3	said frequency, duration, exposure route. They all contribute to carcinogenicity. Q. In other words, in evaluating the carcinogenicity of a	Page 343	2 3	powder and its ability to bring about changes in the lungs that could lead to carcinogenic carcinogenesis. Q. Of the reactions that we	Page 345
2 3 4 5	said frequency, duration, exposure route. They all contribute to carcinogenicity. Q. In other words, in evaluating the carcinogenicity of a substance, it's important to look at dose	Page 343	2 3 4 5	powder and its ability to bring about changes in the lungs that could lead to carcinogenic carcinogenesis. Q. Of the reactions that we just talked about, have any of those been	Page 345
2 3 4 5 6 7	said frequency, duration, exposure route. They all contribute to carcinogenicity. Q. In other words, in evaluating the carcinogenicity of a substance, it's important to look at dose relationships, correct?	Page 343	2 3 4 5 6 7	powder and its ability to bring about changes in the lungs that could lead to carcinogenic carcinogenesis. Q. Of the reactions that we just talked about, have any of those been reported in women using talc on the	Page 345
2 3 4 5 6 7 8	said frequency, duration, exposure route. They all contribute to carcinogenicity. Q. In other words, in evaluating the carcinogenicity of a substance, it's important to look at dose relationships, correct? A. Are you speaking about	Page 343	2 3 4 5 6	powder and its ability to bring about changes in the lungs that could lead to carcinogenic carcinogenesis. Q. Of the reactions that we just talked about, have any of those been reported in women using talc on the perineum?	Page 345
2 3 4 5 6 7 8 9	said frequency, duration, exposure route. They all contribute to carcinogenicity. Q. In other words, in evaluating the carcinogenicity of a substance, it's important to look at dose relationships, correct? A. Are you speaking about dose-response, or more than one dose?	Page 343	2 3 4 5 6 7 8 9	powder and its ability to bring about changes in the lungs that could lead to carcinogenic carcinogenesis. Q. Of the reactions that we just talked about, have any of those been reported in women using talc on the perineum? A. There have been no studies	Page 345
2 3 4 5 6 7 8	said frequency, duration, exposure route. They all contribute to carcinogenicity. Q. In other words, in evaluating the carcinogenicity of a substance, it's important to look at dose relationships, correct? A. Are you speaking about	Page 343	2 3 4 5 6 7 8	powder and its ability to bring about changes in the lungs that could lead to carcinogenic carcinogenesis. Q. Of the reactions that we just talked about, have any of those been reported in women using talc on the perineum?	Page 345
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	said frequency, duration, exposure route. They all contribute to carcinogenicity. Q. In other words, in evaluating the carcinogenicity of a substance, it's important to look at dose relationships, correct? A. Are you speaking about dose-response, or more than one dose? Q. Let me ask it again. In evaluating the substance for carcinogenicity purposes, it's important to look at dose-response relationships, correct? A. It's important to look at dose-response relationships, but it's not the only factor, is what I'm saying. Q. In your report, you cite a number of reactions to talc that have been reported, pleural inflammation, granulomas, pulmonary interstitial fibrosis	Page 343	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	powder and its ability to bring about changes in the lungs that could lead to carcinogenic carcinogenesis. Q. Of the reactions that we just talked about, have any of those been reported in women using talc on the perineum? A. There have been no studies to my knowledge showing that application of perineal talc can produce produces lesions in the lungs. Q. And there's been no studies that you are of which you are aware that have reported findings of granulomas in women using talc in the perineum, correct? A. There is evidence of inflammation clearly, but there to my knowledge, I have not seen any of the literature which shows a granuloma in the ovary.	Page 345
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		Page 346			Page 348
1	the ovaries of women using talc on the	-	1	disease.	-
2	perineum?		2	Q. Okay. Rheumatoid arthritis	
3	MS. O'DELL: Object to the		3	does not increase the risk of cancer,	
4	form.		4	correct?	
5	THE WITNESS: I'm just		5	A. Rheumatoid arthritis, for	
6	trying to find the section.		6	what's known now, does not increase the	
7	There were many studies, I		7	risk of cancer.	
8	can't right now, without finding		8	Q. Psoriasis is another chronic	
9	it in my report, identify any one		9	inflammatory process, correct?	
10	in particular.		10	A. Another autoimmune disease	
11	BY MR. HEGARTY:		11	and another inflammatory process, yes.	
12	Q. Well, sitting here today,		12	Q. Having psoriasis does not	
13	can you cite any study that has reported		13	increase the risk of any form of cancer,	
14	on finding inflammation of the ovaries		14	correct?	
15	following perineal application of talc?		15	A. Not that not that we know	
16	A. As I said, there are many		16	with the current knowledge.	
17	there are many examples in animal models		17	•	
18	¥		18	Q. So just having chronic	
	that was not perineal, that was vaginal,			inflammation does not mean cancer will	
19	as you stated.		19	develop, correct?	
20	There were studies		20	MS. O'DELL: Object to the	
21	study an early study which identified		21	form.	
22	talcum powder particles in the ovary with		22	THE WITNESS: Just having	
23	inflammatory responsiveness or		23	chronic inflammation does not have	
24	inflammatory responses. That was a		24	to indicate. It's one again,	
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1	very that was a very early study. I'm	Page 347	1	it's one mechanism that provides	Page 349
1 2	very that was a very early study. I'm not sure if it was Hamilton or Henderson.	Page 347	1 2	it's one mechanism that provides biological plausibility for the	Page 349
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2 out there that addresses this is when 3 inflammation, correct? 4 A. That's primary, yes. Q. You make reference to MUC-1. 5 That's not your biological plausibility 7 mechanism, is it? 8 A. You mean MUC-1— 9 Q. Yes. 9 Q. Yes. 10 A.—antibodies? 11 A.—antibodies? 11 A.—antibodies? 11 Q. Correct? 12 A. MUC-1, if I may explain it, 13 is mucin. And— 14 Q. I don't want to interrupt. 15 I'm not after an explanation. I just wanted to know whether it's part— 16 whether the references you include in your report to MUC-1 are included in your report to MUC-1 are included in your reaching my opinion, yes. 20 A. It is included in my—in 21 reaching my opinion, yes. 22 Q. Is that a separate mechanism 23 from inflammation? 24 A. It is a separate mechanism 25 from inflammation. It's seen in ovarian 26 cancer as a marker. And when you have— 27 evidence has shown that if you have 28 autibodies to MUC-1. And when you have— 29 very firm of voarian cancer. 29 Q. La that is exparate mechanism 29 from inflammation. It's seen in ovarian 20 cancer as a marker. And when you have— 21 evidence has shown that if you have 22 autibodies to MUC-1. And when you have— 23 is in used to know whether it's part— 24 A. MUC-1 is also known as occurred; 25 decreased as is seen in response to tale, that you will have less of an immune 26 cancer as a marker. And when you have— 27 stidence has shown that if you have 28 antibodies to MUC-1, and if they're decreased risk of ovarian cancer. 29 Q. Kas that as correlated MUC-1 levels with ovarian cancer risk? 30 A. It is included in my— 31	1	O Vous biologically slaveible	1 age 550	1	A It's the only evidence	1 age 332
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13 is mucin. And — 14 Q. I don't want to interrupt. 15 I'm not after an explanation. I just 16 wanted to know whether it's part — 17 whether the references you include in 18 your report to MUC-1 are included in your 19 biologically plausible opinion? 20 A. It is included in my — in 21 reaching my opinion, yes. 22 Q. Is that a separate mechanism 23 from inflammation? 24 A. It is a separate mechanism 25 from inflammation. It's seen in ovarian 26 cancer as a marker. And when you have — 27 evidence has shown that if you have 28 decreased as is seen in response to tale, 29 that you will have less of an immune 29 study that has correlated MUC-1 levels 29 that you will have less of an immune 29 study that has correlated MUC-1 levels 29 with ovarian cancer risk? 20 Can you cite for me any 29 study that has correlated MUC-1 levels 29 that you will have less of an immune 29 study that has correlated MUC-1 levels 20 Can you cite for me any 21 cannot. 22 THE WITNESS: Not to my 24 knowledge. 38 MS. O'DELL: Sorry. 39 WMR. HEGARTY: 30 A. MuC-1 is also known as 30 CA-125, and it is used as a marker. 40 Q. My question is, is MuC-1 41 used to — levels — strike that. 42 is synonymous with CA-125. CA-125 is a shed marker in the blood associated with ovarian cancer, so yes. 40 Q. Can you cite for me any 41 antibodies to MUC-1, and if they're 42 diagnose a woman with ovarian cancer, so yes. 41 A. My response to that is MUC-1 42 is synonymous with CA-125. CA-125 is a shed marker in the blood associated with ovarian cancer, so yes. 42 (A. My response to that is MUC-1 43 is synonymous with CA-125. CA-125 is a shed marker in the blood associated with ovarian cancer, so yes. 44 (A. It is a separate mechanism 45 (A. My response to that is MUC-1 46 it is vibrour testimony that ovarian cancer, so yes. 47 (A. My response to that is MUC-1 48 (A. My response to that is MUC-1 49 (A. My response to that is MUC-1 40 (A. My response to that is MUC-1 40 (A. My response to that is MUC-1 40 (A. My response to that is MUC-1 41 is synonymous with CA-12		-				
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24 Q. Yes, human studies only. 24 in terms of what what an OB/GYN or an	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	cancer as a marker. And when you have evidence has shown that if you have antibodies to MUC-1, and if they're decreased as is seen in response to talc, that you will have less of an immune response and protection. Q. Can you cite for me any study that has correlated MUC-1 levels with ovarian cancer risk? MS. O'DELL: Object to form. THE WITNESS: They use it as a marker. The literature uses MUC-1 as a marker of cancer. Can I cite you any studies that links it with ovarian cancer? No, I cannot. BY MR. HEGARTY: Q. Are there any studies that link the levels of MUC-1 to ovarian cancer risk? A. Do you mean human studies or	Page 351	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	is synonymous with CA-125. CA-125 is a shed marker in the blood associated with ovarian cancer, so yes. Q. Okay. Is it your testimony that for purposes of strike that. Is it your testimony that CA-125 levels are used to diagnose ovarian cancer? MS. O'DELL: Object to the form. THE WITNESS: I'm saying that CA-125 is used as a biological marker of progression, extent, and intensity and whether ovarian cancer is present. BY MR. HEGARTY: Q. My question is, in a woman who comes in complaining of symptoms that might be ovarian cancer, is CA-125 used to diagnose ovarian cancer? A. I'm sorry, I'm not a	Page 353
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		D 254			D 256
		Page 354			Page 356
1	oncologist would do.		1	the systematic review of the	
2	Q. And measuring CA-125 levels		2	literature as I have. But each	
3	does not give you any evidence of the		3	doctor, I'm sure, makes their own	
4	etiology of the ovarian cancer, correct?		4	opinion.	
5	A. Not to the etiology.		5	BY MR. HEGARTY:	
6	However, it is an epithelial-associated		6	Q. Can you cite any doctor who	
7	protein.		7	treats ovarian cancer or researches	
8	So if we are talking about		8	ovarian cancer who believes that the	
9	epithelial, and we are talking about		9	biological plausible mechanism of ovarian	
10	epithelial ovary carcinoma, it is related		10	cancer is inflammation?	
11	to to that.		11	A. I have not spoken to any	
12	Q. Does all types do all		12	doctors in that regard.	
13	types of inflammation irreparably damage		13	Q. What does the inflammation	
14	tissue?		14	in the ovary look like in your opinion	
15	A. Irreparably. Do you mean		15	from talc exposure?	
16	persistently without is there		16	A. It looks like any other	
17	recovery?		17	local target of inflammation, in that	
18	Q. No, my question is do all		18	there are neutrophils, immune cells that	
19	types of inflammation, all acute, all		19	migrate into the area. There are	
20	chronic inflammation, damage tissue where		20	macrophages that migrate into the area.	
21	it's not repaired?		21	There can be higher levels of cytokines	
22	A. Where it's not repaired?		22	like interleukin and chemotactic factor,	
23	Q. Yes.		23	growth factor.	
24	A. No, you can have with		24	Q. Such inflammation, if it was	
	Ti. Tvo, you can nave with		-	Q. Such initialiniation, if it was	
		Page 355			Page 357
1	acute inflammation, of course you can		1	occurring would be visible, correct?	
2	have repair of it's there to protect		2	A. Not necessarily. In a in	
3	against the invader.		3	a chronic first of all, you can get	
4	Q. Does having inflammation in		4	different time periods. So	
5	one organ or one tissue in the body		5	inflammation if it's chronic	
6	always mean that other tissues in the		6	inflammation you are talking about one	
7	body will be inflamed?		7	thing. And then you might see some	
8	A. It does not always mean		8	remnants of the inflammation.	
9	that.		9	But if you look at a period	
10	Q. The medical community has		10	of time, you can miss the inflammatory	
11	not generally accepted that chronic		11	response. It can be there, impact the	
12	inflammation is a cause of ovarian		12	cells and then be gone.	
13	cancer, correct?		13	Q. Even with chronic	
14	MS. O'DELL: Objection to		14	inflammation?	
15			15	A. With chronic inflammation,	
16	form. THE WITNESS: Again I'm not		16		
17	THE WITNESS: Again, I'm not		17	if you looked hard enough you would find	
	quite sure what you mean by			the remnants of its presence and you will	
18	generally accepted. Everyone		18	also likely find neutrophilic	
19	has every medical community has		19	infiltration.	
20	its own opinion. I'm sure there		20	Q. Has that	
21	are many doctors who do embrace		21	A. That does not last forever.	
22	it. And I'm sure there are many		22	Q. Has that ever that	
22 23 24	it. And I'm sure there are many doctors who do not. I'm not sure whether they've done the extent of		22 23 24	those findings ever been reported in women using talc in the perineum?	

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		Page 358			Page 360
1	A. The inflammatory response?	rage 330	1	O None of those inflammatory	rage 300
2	Q. Correct.		2	Q. None of those inflammatory markers are tested to diagnose or monitor	
3	A. Or the infiltration? Not		3	a woman for developing ovarian cancer,	
	that I'm aware of. Not in my report.		4	correct?	
4 5			5		
	Q. How many applications of		_	A. To my knowledge, tumor	
6 7	talc to the perineum does it take to cause chronic inflammation in the		6	necrosis factors, C-reactive protein, none of the interleukins are monitored.	
8	ovaries?		8	But again, I have to say	
9	A. That's that		9	that I'm not an OB/GYN and so I'm not	
10	information that is not known how many		10	I'm not familiar with what their what	
11	applications, whether it could be one or		11	they are using other than what's in the	
12	it needs to be over a period of three		12	literature.	
13	years or a period of ten years. Some of		13	Q. And no study has clinically	
14	the meta-analysis evaluations indicated		14	correlated those markers with ovarian	
15	that there were some temporal		15	cancer or ovarian cancer risk, correct?	
16	associations with it, and that it needed		16	MS. O'DELL: Objection to	
17	to be used longer than ten years, where		17	form.	
18	you saw responsiveness. And others		18	THE WITNESS: In looking at	
19	indicated less than ten years.		19	biological plausibility, which	
20	So it's it's difficult to		20	I'm which I'm focused on, the	
21	say, and it's also associated with the		21	indication of those elevated	
22	woman.		22	levels as well as decreased levels	
23	Q. Does acute inflammation		23	of antioxidants are associated	
24	cause cancer?		24	with inflammation and are	
		Page 359			Page 361
1	A. Acute inflammation has not		1	associated with ovarian cancer.	
2	been linked to my knowledge to cancer.		2	BY MR. HEGARTY:	
3	As I said, it's used as an immune		3	Q. Well, can you cite for me	
4	surveillance and protective mechanism as		4	any study that has clinically correlated	
5	you pointed out.		5	those findings to ovarian cancer risk?	
6	Q. Over on Pages 20 and 21 of		6	MS. O'DELL: Objection.	
7	your report you refer to CRP and other		7	Asked and answered.	
_	· · · · · · · · · · · · · · · · · · ·		_	THE WITNESS: First of all,	
8	inflammatory markers, cytokines,		8		
10	inflammatory mediators. Do you see the			I'm not and again, not an OB/GYN.	
	section I'm referring to?		10		
11 12	A. I roles of the immune		11 12	I can tell you that those	
	system, and then Section E, ovarian			risk factors, which are	
13	cancer inflammation?		13	inflammatory markers, are used as an indicator of inflammation as a	
14	Q. Correct.		14		
15	A. Which section are you		15	biological plausible mechanism.	
16	referring to?		16	BY MR. HEGARTY:	
17	Q. Well, the section ovarian		17	Q. Well, do you cite in your	
18	cancer inflammation at the bottom of		18	paper any studies that have	
19	Page 20, carrying over to the top of		19	A. I'm sorry, do you mean the	
20	Page 21.		20	report?	
21	A. I see that.		21	Q. In your report. Do you cite	
22	Q. And there you talk about a		22	in your report any studies that have	
23	number of inflammatory markers, correct?		23	found that women with these markers have	
24	A. Correct.		24	a higher higher or an increased risk	

	Page 362			Page 364
1	of ovarian cancer?	1	are a normal product of cell activity,	1 450 304
2	A. Well, what I no. But	2	correct?	
3	what I have found is that in women who	3	A. That is correct	
4	have ovarian cancer, when they measure	4	Q. For example, for many	
5	concurrently or subsequently, that the	5	A for many cells.	
6	levels of certain inflammatory markers	6	Q reactive oxygen species	
7	are elevated.	7	increase if we exercise, correct?	
8	Q. My question was specific to	8	A. As well as antioxidants	
9	women prior to being diagnosed with	9	increase, yes.	
10	ovarian cancer, has any study shown that	10	Q. The same is true for	
11	women with higher levels of these	11	reactive nitrogen species, correct?	
12	inflammatory markers have an increased	12	A. Yes.	
13	risk of ovarian cancer?	13	Q. These	
14	MS. O'DELL: Objection to	14	A. It's a matter of degree.	
15	form.	15	 Q. Reactive oxygen species and 	
16	THE WITNESS: Not in that	16	reactive nitrogen species increase if	
17	particular context. But again I'm	17	we're under stress, correct?	
18	not an OB/GYN.	18	A. They have been shown to do	
19	BY MR. HEGARTY:	19	that, yes.	
20	Q. Has any study shown that	20	Q. And the body has defense	
21	these inflammatory factors are elevated	21	mechanisms to handle this increase in	
22	in women using talc on the perineum?	22	reactive oxygen species and reactive	
23	MS. O'DELL: Objection to	23	nitrogen species, correct?	
24	the form.	24	MS. O'DELL: Objection to	
	Page 363			Page 365
1	Page 363 THE WITNESS: It's not a	1	form.	Page 365
1 2		2	form. THE WITNESS: The body has	Page 365
	THE WITNESS: It's not a common thing to measure inflammatory mediators as a result			Page 365
2	THE WITNESS: It's not a common thing to measure inflammatory mediators as a result of the common use of talcum powder	2 3 4	THE WITNESS: The body has antioxidant mechanisms, including superoxide dismutase, catalase, et	Page 365
2 3	THE WITNESS: It's not a common thing to measure inflammatory mediators as a result of the common use of talcum powder products. So there is no	2 3	THE WITNESS: The body has antioxidant mechanisms, including superoxide dismutase, catalase, et cetera, that are that elevate	Page 365
2 3 4 5 6	THE WITNESS: It's not a common thing to measure inflammatory mediators as a result of the common use of talcum powder products. So there is no indication of that because there	2 3 4 5 6	THE WITNESS: The body has antioxidant mechanisms, including superoxide dismutase, catalase, et cetera, that are that elevate in response to reactive oxygen	Page 365
2 3 4 5 6 7	THE WITNESS: It's not a common thing to measure inflammatory mediators as a result of the common use of talcum powder products. So there is no indication of that because there are no studies of that.	2 3 4 5 6 7	THE WITNESS: The body has antioxidant mechanisms, including superoxide dismutase, catalase, et cetera, that are that elevate in response to reactive oxygen species. But they can be	Page 365
2 3 4 5 6 7 8	THE WITNESS: It's not a common thing to measure inflammatory mediators as a result of the common use of talcum powder products. So there is no indication of that because there are no studies of that. BY MR. HEGARTY:	2 3 4 5 6 7 8	THE WITNESS: The body has antioxidant mechanisms, including superoxide dismutase, catalase, et cetera, that are that elevate in response to reactive oxygen species. But they can be overwhelmed by the amount of ROS	Page 365
2 3 4 5 6 7 8 9	THE WITNESS: It's not a common thing to measure inflammatory mediators as a result of the common use of talcum powder products. So there is no indication of that because there are no studies of that. BY MR. HEGARTY: Q. If you look over on Page 24	2 3 4 5 6 7 8 9	THE WITNESS: The body has antioxidant mechanisms, including superoxide dismutase, catalase, et cetera, that are that elevate in response to reactive oxygen species. But they can be overwhelmed by the amount of ROS release.	Page 365
2 3 4 5 6 7 8 9 10	THE WITNESS: It's not a common thing to measure inflammatory mediators as a result of the common use of talcum powder products. So there is no indication of that because there are no studies of that. BY MR. HEGARTY: Q. If you look over on Page 24 of your report under the section Role of	2 3 4 5 6 7 8 9 10	THE WITNESS: The body has antioxidant mechanisms, including superoxide dismutase, catalase, et cetera, that are that elevate in response to reactive oxygen species. But they can be overwhelmed by the amount of ROS release. BY MR. HEGARTY:	Page 365
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1 it just the presence of 2 reactive oxygen species will lead 3 to cancer. 4 BY MR. HEGARTY: 5 Q. What data shows that the 6 body's response system to reactive oxygen 7 species and reactive nitrogen species is 8 unable to handle those species that might 9 be generated by talc exposure? 1 of the literature comes from in vivo 2 animal studies as well as in vitro cell 3 studies. But my role is to is to look 4 at biological plausibility. And so 5 studies that reveal or indicate that 6 response in an animal model and in cell 7 culture indicates to me that there's no 8 likely reason why it could not happen in 9 women.	Page 368
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8 unable to handle those species that might 9 be generated by talc exposure? 8 likely reason why it could not happen in 9 women.	
9 be generated by talc exposure? 9 women.	
10 A. Numerous cell studies and 10 Q. Okay. At the top of Page 25	
11 numerous animal studies. And you would 11 of your report, you say that even a	
12 look at that by the level of antioxidants 12 single dose of a carcinogen can produce	
13 that are also present. And if a 13 effects that are adverse to cells and	
14 substance such as talcum powder product 14 tissue at the site of exposure.	
15 reduces antioxidants, then the cell or 15 Do you see where I'm	
16 the tissue is going to be overwhelmed by 16 reading?	
17 that product. 17 A. Yes.	
18 Q. Has that process ever been 18 Q. When you say dose, do you	
19 shown in vivo? 19 mean exposure at a dose or volume of	
20 A. In a I'm not sure if this 20 exposure to a substance that studies have	2
21 answers your question. I'll do my best 21 proven are adverse to cells and tissues?	-
22 to answer it. And your question was has 22 MS. O'DELL: Object to the	
23 that process, meaning the process of 23 form.	
24 antioxidant change is that your 24 THE WITNESS: That's a	
2 · · · · · · · · · · · · · · · · · · ·	
Page 367	Page 369
1 question? 1 multiple question. But when I	
2 Q. No. The process where the 2 refer to even a single dose, I	
3 cell or the tissue is going to be 3 mean even a single exposure.	
4 overwhelmed, has that process ever been 4 BY MR. HEGARTY:	
5 shown in vivo in women? 5 Q. Are you saying there a	
6 A. In women? 6 single molecule of the substance?	
7 Q. Yes. 7 A. What I meant in this report	
8 MS. O'DELL: Object to the 8 is even a single exposure. The	
9 form. You can answer. 9 concentration of which could be unknow	/n.
THE WITNESS: Certainly in 10 A single exposure to a certain	
animals, but not to my knowledge 11 concentration, whatever that	
in women. 12 concentration is, can produce effects.	
13 I'm sorry. I'm still 13 I'm not saying can produce cancer. Wha	ıt
thinking. 14 I'm saying is can start the process of	
Whenever the antioxidant 15 either inflammation or oxidative stress.	
levels are decreased, that is an	
indicator of being overwhelmed by 17 single dose need to reach to have the	
the reactive oxygen species or the 18 adverse effects that you describe there?	
19 oxidation stress. 19 MS. O'DELL: Object to the	
20 BY MR. HEGARTY: 20 form.	
Q. And what studies have shown 21 THE WITNESS: Whatever that	Į
22 the antioxidant levels are decreased in 22 particular it depends upon the	
23 women using talc? 23 carcinogen or the inflammagogue	
24 A. In women using talc most 24 that one is looking at in terms of	

a single exposure. And it depends on the susceptibility of the context of the susceptibility of the street suse. So to answer your question, doses or concentration to open. 4 question, doses or concentration to open. 5 to the target tissue is unknown or open. 6 open. 8 Q. You're not saying that a single application of tale to the perineum can produce effects that are adverse to cells and tissue in the perineum can produce effects that are adverse to cells and dissue in the diduction of tale to the single application. Or tale to the single application of tale to the single application application of tale to the single application application of tale to the single application application application of tale to the single application application application application application of tale to the single application application application of the single application application of tale to the single application application application of tale to the single application application of tale to the single application application of the single application application of the single application application of the single application application applicati			Page 370			Page 372
on the susceptibility of the dissue. So to answer your desison, doses or concentration to the target tissue is unknown or till you that. Again, I just want to top of my head or looking at my report tell you that. Again, I just want to top of my head or look at the look at the look at the bolok at the look at the look at the look at the look at the top of my head or look at the top of my head or look at the top of the effects or processes that my charge wast to look at the top of the effects or processes that name and the substitution of the term and the duration of the use. 2 Q. Yes, 3 A. I can – I cannot off the top of the hard and mand or look at the look at the look at the look at the point of the effects or produce effects or proc	1	a single exposure. And it depends		1	A In women?	C
tissue. So to answer your question, doses or concentration to the target tissue is unknown or open. to the target tissue is unknown or open. The WTINESS: If mot saying that a superaction to the target tissue is unknown or open. MS. ODELL: Object to the form. THE WTINESS: If mot saying that it can't. Think I toestified earlier that a single dearlier that a single about talcum powder product application, one perineal direct exposure could in fact trigger the exposure could in fact trigger the exposure could in fact trigger the calls to start a process leaning Towards, and in real trigger the does the talc need to go in the body to trigger that mechanism? Towards inflammation. Page 371 Page 371						
4 top of my head or looking at my report 5 to the target tissue is unknown or 6 open. 7 BY MR. HEGARTY: 8 Q. You're not saying that a 9 single application of talc to the 10 perincum can produce effects that are 11 adverse to cells and tissue in the 12 ovaries, correct? 13 MS. O'DELL: Object to the 14 form. 14 tostified earlier that a single — 15 THE WITNESS: I'm not saying 16 that it can't. I think I 17 tostified earlier that a single — 18 depending upon what that product 19 is — in this case we're talking 20 about talcum powder product — 21 that one exposure, one 22 application, one perineal direct 23 exposure could in fact trigger the 24 cells to start a process leaning 1 towards inflammation. 2 BY MR. HEGARTY: 3 Q. And where the talc — where 4 does the talc need to go in the body to 5 trigger that mechanism? 6 A. Well, once it gets — once 10 trigger that mechanism? 7 A. Well, once it gets — once 11 towards inflammation, or it could also start 11 mechanisms, gene expression changes in 12 the vaginal area. And in the 13 tubes. It causes changes in cells, 14 tone application or an inflammation, ari could get to the 15 or repeat that my charge was to look at 16 repeat that my charge was to look at 16 repeat that my charge was to look at 16 repeat that my charge was to look at 16 repeat that my charge was to look at 16 repeat that my charge was to look at 16 repeat that my charge was to look at 16 repeat that my charge was to look at 16 repeat that my charge was to look at 16 repeat that my charge was to look at 16 tological plausibility and I – I see 16 took and minal models, to his look at 16 to hat the my celfects or proses effects or processes that atm my charal models to the 16 dorn. 18 form. 19 THE WITNESS: Well, in my 19 mind, and in reality, women use 21 different handfuls. So I can't 22 different handfuls. So I can't 23 really give you a concentration. 24 However, when you're looking 25 to define a mechanism or a 26 potential mechanism, if you use 27 cver a higher dose, you're 28 same mechanism. 29 to d						
tell you that. Again, I just want to open. The BY MR. HEGARTY: Responsible to cells and tissue in the ovaries, correct? The withink I testified earlier that a single — depending upon what that product— is — in this case we're talking about talcum powder product— application, one perineal direct exposure could in fact trigger the exposure could in fact trigger the exposure could in fact trigger the exposure open application, one perineal direct exposure could in fact trigger the exposure subding to does the talc need to go in the body to trigger that mechanism? To and where the talc — where does the talc need to go in the body to trigger that mechanisms. The well, once it gets — once it sapplied to the perineal region, it's my belief that it then imgrates up to the — to the vaginal area, it could also start a mechanisms, gene expression changes in the vaginal area, it could also tant any one of those uponed of cled that are susceptible to oxidant stress. The BY MR. HEGARTY: The words inflammation. Page 371 The words inflammation. Page 371 Page 372 Page 371 Page 371 Page 371 Page 372 Page 371 Page 371 Page 372 Page 373 Page 374 Page 375 Page 375 Page 375 Page 375 Page 376 Page 377 Page 378 P						
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1	you rely on the studies that you cite in	-	1	just?	-
2	your report done by Dr. Saed?		2	BY MR. HEGARTY:	
3	A. I relied on the information		3	Q. Ovarian epithelial thank	
4	from Dr. Saed. It went into making up my		4	you.	
5	opinion, yes.		5	Have you ever done studies	
6	Q. If those studies were not		6	using any type of ovarian epithelial cell	
7	available to you, would your opinions		7	lines?	
8	still be the same?		8	A. I have not.	
9	A. As I said, one of the one		9	Q. Have you ever done any study	
10	of the manuscripts came after my report.		10	using ovarian cancer cell lines?	
11	And it was I looked at an abstract, so		11	A. I have not. Not personally.	
12	I had information. And other others		12	Q. What data shows that the	
13	of Dr. Saed's I reviewed. But I would		13	doses that Dr. Saed used in his studies	
14	have come to the same conclusion. That		14	are comparable to those to which	
15	was just that was supplemental and		15	epithelial ovarian cells would be exposed	
16	complementary and compelling.		16	to via perineal application of talc?	
17	Q. Have you ever cited an		17	MS. O'DELL: Objection to	
18	abstract in any published article of		18	form.	
19	yours?		19	THE WITNESS: There was no	
20	A. Yes, I have.		20	comparison in his study directly.	
21	Q. Are you an expert in the		21	But if I may, I just want to say,	
22	kinds of testing that Dr. Saed has		22	when you're looking at biological	
23	reported in the materials you reviewed?		23	plausibility, which was the	
24	A. Yes, I am.		24	question that I was asked,	
				•	
		Page 375			Page 377
1	Q. Do you understand that	Page 375	1	oftentimes higher doses in vitro	Page 377
2	Dr. Saed is an expert for the plaintiffs	Page 375	2	studies are used to provide a	Page 377
2 3	Dr. Saed is an expert for the plaintiffs in this litigation?	Page 375	2 3	studies are used to provide a mechanism or a plausibility or	Page 377
2 3 4	Dr. Saed is an expert for the plaintiffs in this litigation? A. I do understand that from	Page 375	2 3 4	studies are used to provide a mechanism or a plausibility or feasibility that that can that	Page 377
2 3 4 5	Dr. Saed is an expert for the plaintiffs in this litigation? A. I do understand that from looking at his publication.	Page 375	2 3	studies are used to provide a mechanism or a plausibility or feasibility that that can that that product, in this case, talcum	Page 377
2 3 4 5 6	Dr. Saed is an expert for the plaintiffs in this litigation? A. I do understand that from looking at his publication. Q. Did you do anything yourself	Page 375	2 3 4 5 6	studies are used to provide a mechanism or a plausibility or feasibility that that can that that product, in this case, talcum powder product, can induce	Page 377
2 3 4 5 6 7	Dr. Saed is an expert for the plaintiffs in this litigation? A. I do understand that from looking at his publication. Q. Did you do anything yourself to verify the reliability of the testing	Page 375	2 3 4 5 6 7	studies are used to provide a mechanism or a plausibility or feasibility that that can that that product, in this case, talcum powder product, can induce inflammation, inflammatory	Page 377
2 3 4 5 6 7 8	Dr. Saed is an expert for the plaintiffs in this litigation? A. I do understand that from looking at his publication. Q. Did you do anything yourself to verify the reliability of the testing that he performed whose results you have	Page 375	2 3 4 5 6 7 8	studies are used to provide a mechanism or a plausibility or feasibility that that can that that product, in this case, talcum powder product, can induce inflammation, inflammatory responses and changes in	Page 377
2 3 4 5 6 7 8 9	Dr. Saed is an expert for the plaintiffs in this litigation? A. I do understand that from looking at his publication. Q. Did you do anything yourself to verify the reliability of the testing that he performed whose results you have read in his publications?	Page 375	2 3 4 5 6 7 8 9	studies are used to provide a mechanism or a plausibility or feasibility that that can that that product, in this case, talcum powder product, can induce inflammation, inflammatory responses and changes in antioxidant levels.	Page 377
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2 3 4 5 6 7 8 9 10 11 12	Dr. Saed is an expert for the plaintiffs in this litigation? A. I do understand that from looking at his publication. Q. Did you do anything yourself to verify the reliability of the testing that he performed whose results you have read in his publications? A. I focused my review and reading of the study design, which is and the experimental approach, which are	Page 375	2 3 4 5 6 7 8 9 10 11 12	studies are used to provide a mechanism or a plausibility or feasibility that that can that that product, in this case, talcum powder product, can induce inflammation, inflammatory responses and changes in antioxidant levels. So it is not uncommon to use higher doses in in vitro studies than what might be seen in a human	Page 377
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Dr. Saed is an expert for the plaintiffs in this litigation? A. I do understand that from looking at his publication. Q. Did you do anything yourself to verify the reliability of the testing that he performed whose results you have read in his publications? A. I focused my review and reading of the study design, which is and the experimental approach, which are key factors for evaluating any study. And I agree with the experimental approach and the study design that he used. He used proper controls. He used a dose-response. He used the proper techniques in analyzing for cell survivability as well as for oxidative stress and gene expression changes. Q. Have you ever done studies	Page 375	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	studies are used to provide a mechanism or a plausibility or feasibility that that can that that product, in this case, talcum powder product, can induce inflammation, inflammatory responses and changes in antioxidant levels. So it is not uncommon to use higher doses in in vitro studies than what might be seen in a human for biological plausibility studies. BY MR. HEGARTY: Q. Can you cite any study that has shown the results reported in Dr. Saed's studies in vivo in women using talc? MS. O'DELL: Objection to form. THE WITNESS: May I get	Page 377

		Page 378			Page 380
1 O Wall	Uma o odano 11 r. m od	Page 378	1	maleura ambiana 9	Page 360
	I'm actually not		1	polymorphisms?	
2 asking about Dr 3 A. Okay.	. Saed's paper.		2	A. I need to look at my CV	
			3	again, as being co-investigator. I've	
	y question is you've		4	worked with other people. I have not	
	papers, correct?		5	performed studies looking at single	
6 A. Yes, I			6	nucleotide polymorphisms. But I have	
	ou cite for me any		7	worked with people who have have done	
•	nown the results he		8	them. And if I look at my curriculum	
	udies in women using		9	vitae, I can tell you if I've been on any	
10 talc?			10	publications.	
11 MS. O'	DELL: Object to form.		11	Q. Okay. Because of time, just	
12 THE W	TTNESS: His studies		12	sitting here today, recognizing for the	
were in viti	o studies.		13	record you haven't looked at your CV, do	
14 BY MR. HEGA	RTY:		14	any such studies come to mind?	
15 Q. Are th	ere any such studies		15	A. I don't I have not done	
	ffects in vivo of talc?		16	those studies in my own laboratory.	
	DELL: Objection.		17	Although I'm I'm just saying that I	
	TTNESS: In vivo in		18	may have been on a publication where	
	in vivo in animals?		19	colleagues of mine have used that that	
20 BY MR. HEGA			20	method, those methods.	
21 Q. In hur			21	Q. Do you have an opinion about	
_	DELL: Object to the		22	talc in single nucleotide polymorphisms	
23 form.	DEEL. Object to the		23	or SNPs?	
	TTNESS: When you refer		24	MS. O'DELL: Objection.	
	TITYLOSS. WHOM you leter			Will. & BELL. Gojection.	
		Page 379			Page 381
1 to such stud	lies, can you tell me		1	THE WITNESS: I think	
	es which types of		2	there there is literature	
	in are you referring		3	showing, including in Dr. Saed's	
4 to?	, .		4	papers, that there are single	
5 BY MR. HEGA	RTY:		5	and in in a paper that looked	
	ell studies that you		6	at women and looked at antioxidant	
	. Saed on Page 25 of your		7	enzymes and they showed there was	
8 report.			8	single nucleotide polymorphism	
-	ne question is are		9	changes in those women.	
10 there any?	ic question is are		10	Looking at, I think it was	
	s in humans showing		11	glutathione S-transferase M 1.	
_	owing application of		12	So what is my so if your	
13 talc to the perin	0 11		13	question is what is my opinion on	
	DELL: Objection to		14	single nucleotide polymorphisms in	
15 form.	WENIEGG. Na44-		15	ovarian cancer?	
	TTNESS: Not to my		16	BY MR. HEGARTY:	
17 knowledge			17	Q. Well, let me ask a different	
	me. You said that		18	question. Is your biologic mechanism	
19 was on Pag	e /3 that you were		19	I'm sorry. Is your biologic plausibility	
"" motomma o to		J	00		
20 referring to	?		20	opinion between talc and ovarian cancer	
21 BY MR. HEGA	? RTY:		21	the process or action that Dr. Saed	
21 BY MR. HEGA 22 Q. Correc	? .RTY: ct.		21 22	the process or action that Dr. Saed describes in his studies?	
21 BY MR. HEGA 22 Q. Correc 23 Have y	? RTY:		21	the process or action that Dr. Saed	

1 relationship or of the causation between 2 ovarian cancer and talcum powder 3 products. 4 Q. Well, is it your opinion 4 that the mechanism by which talc can be 6 biologically be a biological plausible 7 cause of ovarian cancer, that's cited by 8 Dr. Saed in his cell studies? 9 MS. O'DELL: Objection to 10 form. 11 THE WITNESS: I believe 11 THE WITNESS: I believe 12 that in my opinion and what I'm 13 stating here in the report, is 14 that inflammation is the 15 primary one of the primary 16 biological mechanisms. 17 Whether it appears from the 18 literature that single nucleotide 19 polymorphisms may, in fact, play a 10 role. 21 BY MR. HEGARTY: 22 Q. Okay. But is is that 23 is it your opinion that not that they 24 play just that they play a role, but Page 383 1 that is the mechanism for biologic 2 plausibility between talc and ovarian 3 cancer? 4 A. I I do not believe it 5 is it is not my opinion that it is 6 my opinion that single nucleotide 7 polymorphisms, along with inflammation 8 and and perhaps other mechanisms may 9 be involved that talc is associated with. 10 I focused my my opinion 11 on the assessment of inflammation and its 10 If ocused my my opinion 11 on the assessment of inflammation and its 12 role. 1 Tode that it als assessment that you provided to us at the beginning of the day. 2 time that I ask you a question. 3 Going back to the Canadian 4 the beginning of the day. 4 A. Yes. (Brief interruption.) 8 BY MR. HEGARTY: 9 Q. Doctor, we talked earlier 10 at the tedin and sessment with regard to talc. Are you familiar with regard to talc. Are you familiar with regard to talc. Are you familiar with regard to talc and very about Canada's health assessment? 1 A. I am - only from what is in 1 Q. Did plaintiff's counsel 1 A. No, I have not. 2 Q. Do you know what kind of 3 standards that they apply in determining 4 whether to call whether to say whether 5 there's a potential for harm with a 5 substance? A. Just what is in the 4 document. And then I use m	
2 time that I ask you a question. 3 products. 4 Q. Well, is it your opinion 5 that the mechanism by which tale can be 6 biologically be a biological plausible 7 cause of ovarian cancer, that's cited by 8 Dr. Saed in his cell studies? 9 MS. O'DELL: Objection to 10 form. 11 THE WITNESS: I believe 12 that in my opinion and what I'm 13 stating here in the report, is 14 that inflammation is the 15 primary one of the primary 16 biological mechanisms. 17 Whether it appears from the 18 literature that single nucleotide 19 polymorphisms may, in fact, play a 10 role. 21 BY MR. HEGARTY: 22 Q. Okay. But is is that 23 is it your opinion that not that they 24 play just that they play a role, but Page 383 1 that is the mechanism for biologic 2 plausibility between tale and ovarian 3 cancer? 4 A. 1 I do not believe it 5 is it is not my opinion that it is 6 my opinion that single nucleotide 7 polymorphisms, along with inflammation 8 and and perhaps other mechanisms may 9 be involved that tale is associated with. 10 I focused my my opinion 11 on the assessment of inflammation and its 12 role. 2 time that I ask you a question. 3 Going back to the Canadian 4 health assessment as the beginning of the day. 4 A. Yes. 8 BY MR. HEGARTY: 9 Q. Doctor, we talked earlier 1 about Canada's health assessment with 1 regard to tale. Are you familiar with 1 the process by which the Canadian 3 authorities do that health assessment? 1 that inflammation is the 14 A. I am only from what is in 15 the document. 16 Q. Have you ever been a part of 17 that, of a Canadian health assessment? 18 like the one shown with tale? 19 A. Tve worked with Health 20 Canada. 21 Q. Okay. Have you ever worked 22 with Health Canada on doing a health 23 assessment like that reflected in the 24 document we looked at earlier today? 1 A. No, I have not. 2 Q. Do you know what kind of 2 standards that they apply in determining 2 whether to call whether to saly whether 2 substance? 3 A. Just what is in the 3 document. 4 A. Just wha	Page 384
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is 4:48 p.m. We are off the last provided with some scientific and	
17 record. 17 medical literature with regard yes,	
18 (Short break.) 18 many of the articles in the binders were	
19 THE VIDEOGRAPHER: We are 19 provided to me by them.	
back on the record. The time is 20 Q. Are you able to identify	
21 5:08 p.m. 21 which of those articles came from	
22 BY MR. HEGARTY: 22 plaintiffs' counsel versus which you	
Q. Dr. Zelikoff, I'm going to 23 found on your own?	
24 jump around a little bit from topic to 24 A. I may be able to do that	

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	Pag	ge 386			Page 388
1	with some, yes. But this is over a		1	Q. What are the differences	1 450 500
2	period of, as I said, 2017 to now.			between your current report dated	
3	Q. With regard to your			November 16, 2018, and the final report	
4	invoices do you have your invoices			that you provided as shown here back in	
5	there?			February of 2018?	
6	A. I do not.		6	A. It was I own that. It	
7	Q. They've been marked as an			should have said draft report. And the	
8	exhibit.			difference is that that's more literature	
9	A. Oh.		_	and more time had gone by for the	
10	Q. Can someone help her find			emergence and review of more literature.	
11	those invoices?		1	Q. You go from a reference on	
12	MS. O'DELL: Did you take			February 4, 2018, to the next reference	
13	them back? I don't know that			on September 20th I'm sorry. Did I	
14	there was only one copy.			say let me back up.	
15	MR. HEGARTY: I don't think		5	You go form a reference on	
16	I did. I think it was Exhibit 1.			February 4, 2018, to the next cite for	
17	MS. O'DELL: The reason I			time on September 20, 2018. Did you	
18	say that is I did not see it			review any additional literature between	
19	during the lunch break when I			February 4th and September 20, 2018?	
20	looked at		0.	A. Yes, I'm sure I did. And I	
21	THE WITNESS: I do have the	2		also reviewed the production documents	
22	invoices in my binder here.			within that time. More of the production	
23	BY MR. HEGARTY:			documents.	
24	Q. Okay. If you can turn to	2	4	Q. Your report doesn't show any	
-					
	Pag	ge 387			Page 389
1		ge 387	1	time invoiced between February 4, 2018	Page 389
1 2	your binder, please.			time invoiced between February 4, 2018, and September 20, 2018. Did you spend	Page 389
2	your binder, please. A. If I recall.		2	and September 20, 2018. Did you spend	Page 389
2 3	your binder, please. A. If I recall. Q. If we can find that exhibit,		2	and September 20, 2018. Did you spend time reviewing literature or otherwise	Page 389
2 3 4	your binder, please. A. If I recall. Q. If we can find that exhibit, that would be helpful?		2 3 4	and September 20, 2018. Did you spend time reviewing literature or otherwise working on your report that's not	Page 389
2 3 4 5	your binder, please. A. If I recall. Q. If we can find that exhibit, that would be helpful? MS. O'DELL: I'm not sure		2 3 4 5	and September 20, 2018. Did you spend time reviewing literature or otherwise working on your report that's not contained in your invoices?	Page 389
2 3 4 5 6	your binder, please. A. If I recall. Q. If we can find that exhibit, that would be helpful?		2 3 4 5 6	and September 20, 2018. Did you spend time reviewing literature or otherwise working on your report that's not contained in your invoices? A. It I may have. I did not	Page 389
2 3 4 5 6 7	your binder, please. A. If I recall. Q. If we can find that exhibit, that would be helpful? MS. O'DELL: I'm not sure there are any invoices in her binder.		2 3 4 5 6 7	and September 20, 2018. Did you spend time reviewing literature or otherwise working on your report that's not contained in your invoices? A. It I may have. I did not always invoice for something that I spent	Page 389
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	•	Page 390			Page 392
1	A. I said three-quarters of the	Tuge 570	1	Canada, like Exhibit Number 9?	1 4.50 3 2
2	deposition, half to three-quarters.		2	A. I'm sorry.	
3	Q. That was provided to you by		3	MS. O'DELL: Objection to	
4	counsel for plaintiffs, correct?		4	form.	
5	A. Yes, correct.		5	THE WITNESS: All I can say	
6	Q. Do you know how they went		6	is that in working with Health	
7	about selecting the deposition		7	Canada on immunology in my early	
8	transcripts to provide to you for		8	career days, that I may have used	
9	purposes of your review in this case?		9	an assessment like that.	
10	A. I do not.		10	BY MR. HEGARTY:	
11	Q. Did you ask for any		11	Q. Can you cite for me, sitting	
12	deposition did you ask for the		12	here today, anytime that you your	
13	depositions of all experts who have		13	opinions were informed by a Health Canada	
14	testified in this litigation?		14	safety assessment or screening	
15	MS. O'DELL: Objection to		15	assessment?	
16	form.		16	MS. O'DELL: Object to the	
17	THE WITNESS: I did not ask		17	form. Other than what she said?	
18	for depositions.		18	THE WITNESS: Except for	
19	Let me let me retract		19	what I said, I cannot recall.	
20	that, please. If in reading my		20	BY MR. HEGARTY:	
21	literature there was something		21	Q. Did you review for purposes	
22	that I thought might be in a		22	of your opinions in this case the current	
23	deposition of someone, I asked the		23	National Cancer Institutes position	
24	plaintiff attorneys if they had		24	healthcare healthcare health	
		D 201			D 202
		Page 391			Page 393
1	anything in that regard that would	Page 391	1	professional PDQ, or the NCI PDQ?	Page 393
2	lend to my opinion.	Page 391	2	A. I have seen that recently.	Page 393
2 3	lend to my opinion. BY MR. HEGARTY:	Page 391	2 3	A. I have seen that recently.Q. I'll mark as Exhibit Number	Page 393
2 3 4	lend to my opinion. BY MR. HEGARTY: Q. And did you ever ask for any	Page 391	2 3 4	A. I have seen that recently.Q. I'll mark as Exhibit Number23, a copy of the NCI PDQ that mentions	Page 393
2 3 4 5	lend to my opinion. BY MR. HEGARTY: Q. And did you ever ask for any additional depositions beyond those that	Page 391	2 3 4 5	A. I have seen that recently. Q. I'll mark as Exhibit Number 23, a copy of the NCI PDQ that mentions talc.	Page 393
2 3 4 5 6	lend to my opinion. BY MR. HEGARTY: Q. And did you ever ask for any additional depositions beyond those that were provided?	Page 391	2 3 4 5 6	A. I have seen that recently. Q. I'll mark as Exhibit Number 23, a copy of the NCI PDQ that mentions talc. (Document marked for	Page 393
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		Page 394			Page 396
1	relevant literature and internal		1	A. I reviewed their opinions.	
2	information. But I did not specifically		2	I have many questions about how they	
3	ask for the NCI report.		3	reached their opinions and what studies	
4	Q. When you asked for all		4	they used.	
5	relevant information, internal		5	If we can just be on the	
6	information, was that prior to preparing		6	same page in terms of what their opinion	
7	your expert report?		7	is?	
8	A. That's pretty much on a		8	Q. I'm looking at the section	
9	chronic level, in other words from the		9	under perineal talc exposure. And my	
10	time that I was recruited or asked to		10	my question is strike that.	
11	participate in this, I always asked, "Is		11	I'm looking at the section	
12	there literature? Is there more		12	on perineal talc exposure which is about	
13	literature? Here is the literature that		13	four pages from the end.	
14	I have found," which were quite a number.		14	A. I see.	
15	"Is there anything else that you can add		15	Q. And my question is only	
16	to this?" So I provided literature, and		16	whether that section informed your	
17	they provided me with literature.		17	opinions in this case.	
18	Q. You did not find the NCI's		18	MS. O'DELL: Object to the	
19	PDQ yourself?		19	form.	
20	A. I did not find it myself.		20	THE WITNESS: I reviewed it.	
21	Q. Did the NCI PDQ statements		21	It did not change my opinion.	
22	on perineal talc exposure inform your		22	Did did it inform my opinion?	
23	opinions in this case?		23	It did not change my opinion.	
24	A. As I said, I only saw it		24	BY MR. HEGARTY:	
		Page 395			Page 397
1	within the last few days.	Page 395	1	Q. Do you agree with the NCI	Page 397
2	Q. Understood. But you also	Page 395	2	PDQ statement on perineal talc exposure?	Page 397
2 3	Q. Understood. But you also reviewed the Saed manuscript, you	Page 395		PDQ statement on perineal talc exposure? A. If we are talking about	Page 397
2 3 4	Q. Understood. But you also reviewed the Saed manuscript, you reviewed the Canadian health assessment.	Page 395	2 3 4	PDQ statement on perineal talc exposure? A. If we are talking about their final conclusion?	Page 397
2 3 4 5	Q. Understood. But you also reviewed the Saed manuscript, you reviewed the Canadian health assessment. You said both those documents informed	Page 395	2 3	PDQ statement on perineal talc exposure? A. If we are talking about their final conclusion? Q. I'm talking yes. We can	Page 397
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2 3 4 5 6 7	Q. Understood. But you also reviewed the Saed manuscript, you reviewed the Canadian health assessment. You said both those documents informed your opinions. So my question is, did the	Page 395	2 3 4 5 6 7	PDQ statement on perineal talc exposure? A. If we are talking about their final conclusion? Q. I'm talking yes. We can talk about their final conclusion. A. Okay. If I'm recalling	Page 397
2 3 4 5 6 7 8	Q. Understood. But you also reviewed the Saed manuscript, you reviewed the Canadian health assessment. You said both those documents informed your opinions. So my question is, did the NCI PDQ also inform your opinions.	Page 395	2 3 4 5 6 7 8	PDQ statement on perineal talc exposure? A. If we are talking about their final conclusion? Q. I'm talking yes. We can talk about their final conclusion. A. Okay. If I'm recalling this, their final conclusion that was	Page 397
2 3 4 5 6 7 8 9	Q. Understood. But you also reviewed the Saed manuscript, you reviewed the Canadian health assessment. You said both those documents informed your opinions. So my question is, did the NCI PDQ also inform your opinions. MS. O'DELL: Object to the	Page 395	2 3 4 5 6 7 8 9	PDQ statement on perineal talc exposure? A. If we are talking about their final conclusion? Q. I'm talking yes. We can talk about their final conclusion. A. Okay. If I'm recalling this, their final conclusion that was that there was no causal relationship	Page 397
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	Page	e 398		Page 400
1	Q. No, I'm just asking you		A. Yes, I do.	
2	whether you agreed with it.	2	Q. Third line down it says,	
3	A. I do not agree with their	3	"The mechanism by which perineal talc use	
4	final conclusion.	4		
5	Q. Neither FDA nor any	5	is uncertain."	
6	scientific regulatory or other group has	6	, E	
7	ever sought out your opinions with regard	7	statement?	
8	to the biologic plausibility of talc and	8	3	
9	ovarian cancer, correct?	9		
10	A. That is correct.Q. You made reference earlier	10		
11 12	Q. You made reference earlier to the Penninkilampi article. Do you	11	1 &	
13	recall that?	13		
14	A. I recall mentioning it, yes.	12		
15	Q. I'm going to mark as	15		
16	Exhibit 34 a copy of the Penninkilampi	16	*	
17	article. That's the article that you	17		
18	were talking about earlier, correct?	18		
19	A. 2018, correct.	19		
20	(Document marked for	20	risk of ovarian cancer is	
21	identification as Exhibit	21		
22	Zelikoff-34.)	22		
23	BY MR. HEGARTY:	23	→ 1	
24	Q. If you turn over to page	24	it.	
	Page	2 399		Page 401
1	Page strike that.	2 399	BY MR. HEGARTY:	Page 401
1 2	strike that. This is an article that you			Page 401
	strike that. This is an article that you rely on for purposes of your opinions in	1	Q. At the very in the very last line of that article I'm sorry,	Page 401
2 3 4	strike that. This is an article that you rely on for purposes of your opinions in this case, correct?	1 2 3 4	Q. At the very in the very last line of that article I'm sorry, the very last line of that paragraph it	Page 401
2 3 4 5	strike that. This is an article that you rely on for purposes of your opinions in this case, correct? A. This is an article that I	1 2 3 4 5	Q. At the very in the very last line of that article I'm sorry, the very last line of that paragraph it says, "The potential mechanism by which	Page 401
2 3 4 5 6	strike that. This is an article that you rely on for purposes of your opinions in this case, correct? A. This is an article that I reviewed and played into, yes, informed	1 2 3 4 5	Q. At the very in the very last line of that article I'm sorry, the very last line of that paragraph it says, "The potential mechanism by which genital talc is associated with an	Page 401
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		Page 402			Page 404
1		age 402	1	statement in the third paragraph at the	1 age 404
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	normal mechanism of response to the presence of particles in the lungs?		2	end that says even incidental the	
3	A. Depending upon the particle,		3	third paragraph at the end.	
4	inflammation can be a normal part of a		4	A. I was looking for a pen.	
5	response, yes.		5	Excuse me.	
6	Q. Can tumors occur in the		6	Okay. Go ahead.	
7	respiratory system with very high		7	Q. Says, "Even incidental	
8	exposure to particles that overwhelm the		8	contamination by amphibole forms of	
9	body's clearance mechanisms and lead to		9	asbestos is hazard enough to cause	
10	particle overload of lung macrophages?		10	asbestos-related illnesses."	
11	A. Are you referring to the NTP		11	Do you see where I'm	
12	study?		12	reading?	
13	Q. I'm not referring to any		13	A. I'm sorry, are you in the	
14	study in particular. That was just a		14	first paragraph?	
15	question in general.		15	Q. Third paragraph.	
16	A. Okay. Can you repeat the		16	A. Third paragraph.	
17	question?		17	Q. At the end.	
18	Q. Yeah. Can tumors occur in		18	A. At the traces of these	
19	the respiratory system with very high		19	types of asbestos are	
20	exposure to particles that overwhelm the		20	Q. No, third paragraph.	
21	body's clearance mechanisms and lead to		21	Even the last line. "Even incidental	
22	particle overload of lung macrophages?		22	contamination by amphibole forms of	
23	MS. O'DELL: Object to form.		23	asbestos is hazard enough to cause	
24	THE WITNESS: That is a		24	cancer-related illnesses."	
	I	Page 403			Page 405
1	that has been seen as a	Page 403	1	Do you see where I'm	Page 405
2		Page 403	2	Do you see where I'm reading?	Page 405
	that has been seen as a potential as a potential to occur, yes.	Page 403		reading? A. Says, "Cause	Page 405
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		Page 406			Page 408
1	THE WITNESS: I'm sorry, I'm		1	Many investigators,	
2	not certain that this is the same		2	including myself, have papers that come	
3	paper. This is Rohl, et al. The		3	out the same year but with different	
4	paper that I cited is Rohl and		4	authors.	
5	Langer.		5	Q. If you you turn over to	
6	BY MR. HEGARTY:		6	Page 6 of your report.	
7	Q. It's dated 1976		7	A. Yes, sir.	
8	A. 1976.		8	Q. At the end of the first	
9	Q correct?		9	paragraph, at the top of the page.	
10	A. That's correct.		10	A. Yes.	
11	Q. If you look in the abstract		11	Q. You say that "the close	
12	of that paper		12	proximity of asbestos in talc and mineral	
13	A. Yes. The paper		13	deposits makes extraction of either	
14	Q the paper that I marked		14	material alone difficult, if not	
15	as Exhibit 35.		15	impossible."	
16	A. Rohl, et al, yes.		16	Do you see where I'm	
17	Q. Yes. It says, "It's		17	reading?	
18	possible adverse health effects from		18	A. Yes, I do.	
19	intermittent use of these products,		19	Q. Is it your testimony that it	
20	especially those that contain asbestiform		20	is impossible to extract talc from	
21	and fragmented anthophyllite, tremolite,		21	mineral deposits without asbestos?	
22	chrysotile, quartz, and trace minerals		22	MS. O'DELL: Objection to	
23	are presently unknown and warrant		23	form.	
24	evaluation."		24	THE WITNESS: I'm not a	
24	evaluation.		24	THE WITHLESS. THE HOUR #	
		Page 407			Page 409
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1 2	Did I read that correctly? A. I'm sorry, you are in the	Page 407	1 2	I'm not a geologist. I cannot I can only rely on the references	Page 409
	•	Page 407			Page 409
2	A. I'm sorry, you are in the	Page 407	2	I can only rely on the references	Page 409
2 3	A. I'm sorry, you are in the abstract, but I don't know what line you	Page 407	2 3	I can only rely on the references that are there.	Page 409
2 3 4	A. I'm sorry, you are in the abstract, but I don't know what line you are on.	Page 407	2 3 4	I can only rely on the references that are there. BY MR. HEGARTY:	Page 409
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		Page 410			Page 412
1	of your report.		1	Q. You read every word of it?	
2	In the second paragraph you		2	A. I reviewed it. And I read	
3	refer to the deposition of Alice Blount.		3	it to the best of my ability.	
4	Do you see that?		4	Q. You make reference there to	
5	A. Yes, I do. Second sentence.		5	Exhibits 47 and 28, 47 from Julie Pier	
6	Q. And you contend that the		6	deposition and 28 from Dr. Hopkins'	
7	sample she tested claimed to include		7	deposition.	
8	asbestos, including asbestos in Johnson's		8	Do you see that?	
9	Baby Powder. Do you see where you make		9	A. Yes, I do.	
10	that reference?		10	Q. Do you know who prepared	
11	A. Yes, I'm citing her		11	those exhibits?	
12	deposition.		12	A. I do not. I would make an	
13	Q. Did you read the entirety of		13	assumption that it was attorneys.	
14	her deposition?		14	Q. Were you aware that they	
15	A. No, sir.		15	were prepared by counsel for plaintiffs?	
16	Q. What testing method did she		16	MS. O'DELL: Objection to	
17	use?		17	form.	
18	A. I'd like to see the		18	THE WITNESS: As the	
19	deposition again.		19	questions were asked by some of	
20	Q. Did you see from her		20	the attorneys for the plaintiff, I	
21	deposition where she testified that her		21	would make that assumption.	
22	results published in 1991 came from a		22	BY MR. HEGARTY:	
23	Johnson's Baby Powder bottle purchased in		23	Q. Did you do anything yourself	
24	1996?		24	to verify the accuracy of the information	
		Page 411			Page 413
1	A. You know, I'm waiting for	Page 411	1	in any of those exhibits?	Page 413
2	the see the article, please.	Page 411	1 2	A. I'm not sure what you mean	Page 413
		Page 411			Page 413
2	the see the article, please.	Page 411	2	A. I'm not sure what you mean	Page 413
2 3	the see the article, please. Q. Let me withdraw the	Page 411	2 3	A. I'm not sure what you mean did I do anything myself. I read them,	Page 413
2 3 4 5 6	the see the article, please. Q. Let me withdraw the question. I don't have time to cover that. If you turn over to if	Page 411	2 3 4	A. I'm not sure what you mean did I do anything myself. I read them, and I did not do any further literature searching, if that's what you mean. Q. Did you review the test	Page 413
2 3 4 5	the see the article, please. Q. Let me withdraw the question. I don't have time to cover that.	Page 411	2 3 4 5	A. I'm not sure what you mean did I do anything myself. I read them, and I did not do any further literature searching, if that's what you mean.	Page 413
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1 FDA pulled – did its own testing with 2 regard to asbestos and tale? 3 A. I am aware of that. 4 Q. Did you review the results 5 of those tests? 6 A. I did review the results. 7 It doesn't come to mind right now. I'd 8 like to see a copy of it, if I may. 9 Q. Nowhere in your report do 1 you cire those test stealts, do you? 11 A. Not that I can recall. 12 I do cite a paper or a 13 comment by Epstein writing to the FDA in 14 here. And the FDA's response in terms of 15 migration. 16 But in answer to your 17 question – can you repeat your question? 18 Q. Sure. Did you cite — you 19 agree that you didn't cite anywhere — 20 strike that. 21 You did not cite anywhere — 21 Strike that. 22 your report the results of the FDA's 23 testing of tale in 2009, correct? 24 A. It doesn't appear so, no. Page 41 1 Q. Did you have that 2 information before you finalized your 3 report? 4 A. It doesn't appear so, no. Page 41 1 Q. Did you review all the 2 epidermiologic literature looking at 3 asbestos exposure and ovarian cancer? 3 A. I and aware of that. 3 workers tudy pour port does you asbestos. at Category I was 4 based on Five cohort studies involving 4 A. Ir do cite a paper or a 1 Q. Did you review all the 2 epidermiologic literature looking at 3 asbestos exposure and ovarian cancer? 4 A. No, I have not. 10 Q. Did you review all the 2 epidermiologic literature looking at 3 asbestos exposure and ovarian cancer? 3 A. No, I have not. 4 A. No, I have not. 5 Yes. 6 Q. Did you review all the 3 meta-analyses that had been published 4 with regard to asbestos and ovarian 5 Cancer? 7 A. No, I have not. 18 Q. The medical literature 19 looking at asbestos exposure and ovarian 20 cancer was based on exposure to — was 20 cancer was based on exposure to — was 21 based on a heavy industrial exposure, 22 contributed among all studies, but it's 23 my—it's my thought that the worker 24 studies were prodably weighted as heavy 25 strake first MARC used. 26 Q. You agree — you agree that 27 nowhere in your report do you analyze 28 what asbestos e			Page /11/			Page 416
2 regard to asbestos and tale? 3 A. I am aware of that. 4 Q. Did you review the results. 5 of those tests? 5 It doesn't come to mind right now. Td 8 Ikke to see a copy of it, if I may. 9 Q. Nowhere in your report do 10 you cite those test results, do you? 11 A. Not that I can recall. 12 I do cite a paper or a 13 comment by Epstein writing to the FDA in 14 here. And the FDA's response in terms of 15 migration. 16 But in answer to your 17 question – can you repeat your question? 18 Q. Sure. Did you cite - you 19 agree that you didn't cite anywhere – 20 strike that. 21 You did not cite anywhere in 22 your report the results of the FDA's 23 testing of tale in 2009, correct? 24 A. It doesn't appear so, no. Page 415 1 Q. Did you have that 2 information before you finalized your 3 report? 2 4 A. I'm not certain. Probably 5 yes. 6 Q. Did you review all the 6 epidemiologic literature looking at 8 asbestos exposure and ovarian cancer? 9 A. Well, as I said, I'm not an 10 epidemiologic literature looking at 8 asbestos exposure and ovarian cancer? 19 A. Well, as I said, I'm not an 10 epidemiologic literature looking at 8 asbestos exposure and ovarian cancer? 10 Q. Did you read all the 11 meta-analyses that had been published 12 pr. Taher. 13 Q. Did you read all the 14 meta-analyses sincluding 15 with regard to asbestos and ovarian 16 cancer? 17 A. No, I have not. 18 Q. The medical literature 19 looking at asbestos exposure and ovarian 20 cancer was based on exposure to - was 21 based on a heavy industrial exposure, 22 studies that IARC used, not just the results. 23 studies and IARC used, not just the regard to designating asbestos as Category I was 24 bayed nof vice studies; but it's 25 question – correct? 26 usufies may others. 27 pour per in your period to weight — the weight of evidence was 28 contributed among all studies, but it's 29 use it's my hought that the worker 21 studies were probably weight man few few studies in nowhere in your report do you analyze 29 pour period the you analyze 20 pour period to you anal	1	EDA pulled did its own tootics with	Page 414	1	THE WITNIEGO, Thomas one manager	rage 416
A. I am aware of that. Q. Did you review the results of those tests? A. I did review the results. I klosent come to mind right now. Id like to see a copy of it, if I may. Q. Nowhere in your report do lo you cite those test results, do you? A. Not that I can recall. I do cite a paper or a lo comment by Epstein writing to the FDA in here. And the FDA's response in terms of migration. But in answer to your question – can you repeat your question? Q. Sure. Did you cite – you agree that you didn't cite anywhere – strike that. You did not cite anywhere in your report the results of the FDA's testing of fale in 2009, correct? A. It doesn't appear so, no. Page 415 Q. Did you have that information before you finalized your report? A. I mot certain. Probably yes. Q. Did you review all the epidemiologic literature looking at asbestos exposure and ovarian cancer? A. No, I have not. Q. Did you read all the meta-analyses that had been published with regard to designating tabec - sorry, designating absents as Category I was based on five cohort studies involving heavy industrial exposure, – or the weight – the weight of evidence was based on five cohort studies involving heavy industrial exposure, – or the weight – the weight of evidence was based on five cohort studies involving heavy industrial exposure, – or the weight – the weight of evidence was to evidence was comment by Epstein writing to the FDA in there. And the FDA's response in terms of ingration. But in answer to your question – can you repeat your question? Q. Sure. Did you are – you agree – you agree – you agree that power in your report do you amalyze what asbestos exposure levels had been shot opiderio from to induce a biologically plausible effect in tissues, correct? MS. ODELL: Object to the form. By MR. HEGARTY: Q. Well, nowhere do you cite studies in your report reporting on the studies in your report and you analyze the studies in						
4 BY MR. HEGARTY: 5 of those tests? 6 A. I did review the results. 7 It doesn't come to mind right now. I'd 8 like to see a copy of it, if I may. 9 Q. Nowhere in your report do 10 you cite those test results, do you? 11 A. Not that I can recall. 12 I do cite a paper or a 13 comment by Epstein writing to the FDA in 14 here. And the FDA's response in terms of 15 migration. 16 But in answer to your 17 question — can you repeat your question? 18 Q. Sure. Did you cite — you 20 strike that. 21 You did not cite anywhere in 22 your report the results of the FDA's 23 testing of talc in 2009, correct? 24 A. It doesn't appear so, no. Page 415 1 Q. Did you have that information before you finalized your report do you finalized your report? 4 A. I'm not certain. Probably 5 yes. 5 Q. But their conclusion with regard to designating absetsos as Category I was based on five cohort studies involving heavy industrial exposure, correct? 9 A. Well, as I said, I'm not an open and your question? 10 you cite hose test results, do you? 11 A. No, I have not. 12 I do cite a paper or a 13 comment by Epstein writing to the FDA in 14 here. And the FDA's response in terms of migration. 15 migration. 16 But in answer to your 17 question — can you repeat your question? 18 Q. You agree — you agree that nowhere in your report do you analyze what assetsos exposure and ovarian cancer? 24 A. It doesn't appear so, no. Page 415 Page 415 Page 415 Page 415 Page 416 Page 416 Page 417 Page 417 Page 417 Page 418 Page 418 Page 418 Page 419 Page 41						
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		Page 418			Page 420
1	Is chromium-6 in Johnson's		1	Q. Of your report. The third	
2	Baby Powder?		2	paragraph from the bottom where it	
3	A. Chromium is in Johnson's		3	begins, "Chromium-3."	
4	Baby Powder.		4	A. Yes.	
5	Q. I'm sorry?		5	Q. You say, "Chromium-3 has	
6	A. Chromium is present.		6	weak cell membrane permeability, allowing	
7	Q. Is chromium-6 present in		7	it to cross the cell membrane in order to	
8	Johnson's Baby Powder?		8	bind to DNA and cause lesions." That's	
9	A. There are indications. They		9	not correct, is it?	
10	just discuss total chromium.		10	A. That is not correct. That	
11	Q. Can you testify here today		11	is an error on my part in the report.	
12	that Johnson's Baby Powder has chromium-6		12	Chromium-3 has strong membrane	
13	in it?		13	permeability. And when you asked me the	
14	MS. O'DELL: Object to the		14	question initially whether there was an	
15	form.		15	error in my report, I should have looked	
16	THE WITNESS: Again, not		16	at it, and that is an error. Yes.	
17	being a geologist and only going		17	Q. In fact chromium-3 does not	
18	by the internal documents, and if		18	cross the cell membrane, correct? It's	
19	I may also look at one of the		19	unable to cross the cell membrane?	
20	exhibits that has the data for the		20	A. Chromium-6 crosses the cell	
21	metals. I'm sorry.		21	membrane and then converts into is	
22	MS. O'DELL: It's Exhibit C		22	oxidized to chromium-3. And chromium-3	
23	that was marked.		23	is the actual component which causes the	
24	THE WITNESS: I don't want		24	instability.	
		Page 419			Page 421
1	to go by my memory alone. I'd	Page 419	1	Q. But chromium-3 is unable to	Page 421
2	like to see that.	Page 419	2	cross the cell membrane, correct?	Page 421
	like to see that. Thank you very much.	Page 419		cross the cell membrane, correct? A. Completely. To some degree	Page 421
2 3 4	like to see that. Thank you very much. In the document prepared as	Page 419	2 3 4	cross the cell membrane, correct? A. Completely. To some degree it has it can cross to some some	Page 421
2 3 4 5	like to see that. Thank you very much. In the document prepared as Exhibit C, chromium has not been	Page 419	2 3	cross the cell membrane, correct? A. Completely. To some degree it has it can cross to some some minimal degree. But it's hexavalent	Page 421
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	D 400			D 424
1	Page 422	,		Page 424
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	A. Yes.	$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	expert witness report in litigation?	
	Q. As of the time you prepared	$\frac{2}{3}$	MS. O'DELL: Object to the	
3	your report, your entire opinions with		form.	
4	regard to fragrances was based on the	4	THE WITNESS: I am trying to	
5	report by Michael Crowley, correct? A. That is correct.	5	recall whether or not I have ever	
6		6	had that opportunity.	
7		7	BY MR. HEGARTY:	
8	A. And, and what I know about	8	Q. Sitting here right now, can	
9 10	some of the components from other other studies.	9 10	you recall when you had such an	
11		11	opportunity?	
12	Q. Have you had any prior work experience with him?	12	A. In this particular setting	
13	•	13	of being deposed?	
14	A. Dr. Michael Crowley?	14	Q. Or in any in any setting	
	Q. Yes.		where you are concurring with the opinion	
15 16	A. No.	15	of someone who who comments on	
17	Q. Do you know anything about	16 17	toxicity in an expert witness report	
18	his qualifications beyond beyond what		written for litigation?	
18	you read in his report?	18 19	MS. O'DELL: Objection to form.	
	A. No. Just in his report and	20	THE WITNESS: I would	
20	the information that he gives about	21	I I would comment on it if I	
21 22	himself. And the questions that were	22		
23	asked to him and the responses.	23	agreed.	
24	Q. You say that you concur "I concur with his opinion." Does that	24	And in this case, you know, having the knowledge base that I	
24	1 concur with his opinion. Boes that	24	naving the knowledge base that i	
	Page 423			D 425
	1 ago 125			Page 425
1	mean that you agreed with everything that	1	have, not on certainly not on	Page 425
1 2		2	have, not on certainly not on all 150 different chemicals, which	Page 425
	mean that you agreed with everything that			Page 425
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		Page 426			Page 428
1	and 17.	1 age 420	1	that are applied to talc via the perineal	1 age 420
2	A. Okay.		2	route?	
3	Q. So in that section, did you		3	A. What I did was I looked at	
4	in any way analyze whether the particles		4	the internal documents, found that the	
5	that whether talc can transport in the		5	according to the the instrumentation	
6	same way that the particles do in the		6	and the graphics that they did, as well	
7	studies that you cite?		7	as Dr. Longo, and looked at the size	
8	MS. O'DELL: Objection to		8	range of the particles. As I said, the	
9	form.		9	median and the average is around 10.5 to	
10	BY MR. HEGARTY:		10	11.5, but there were particle size range	
11	Q. In other words, did you cite		11	in the talc talcum powder products	
12	any authority showing that talc particles		12	that range all the way from 50 microns or	
13	transport in the same way as the		13	larger all the way down to 0.3 microns or	
14	particles you reference in these studies?		14	300 nanometers.	
15	A. Not conclusively. But as I		15	Q. Well, did you do any	
16	said, if the particles are of similar		16	correlation to determine whether the	
17	sizes, which they are in these in		17	the size of the particles studied in	
18	these animal studies, then I would have		18	the in the articles you cite in any	
19	no reason to believe that the talc		19	way correlate or relate to the particle	
20	particles did not move in the same		20	sizes in Johnson's Baby Powder?	
21	manner.		21	MS. O'DELL: Object to the	
22	Q. Well, do you agree that it		22	form.	
23	is important when talking about transport		23	THE WITNESS: The size of	
24	of particles, that strike that. Let		24	particles that were used in many	
	F			1	
		Page 427			Page 429
1	me ask it a different way.	Page 427	1	of the animal studies certainly	Page 429
1 2	me ask it a different way. You cite to an authority	Page 427	1 2	of the animal studies certainly fall within the range that I just	Page 429
		Page 427			Page 429
2	You cite to an authority that makes the following statement, I	Page 427	2	fall within the range that I just	Page 429
2 3	You cite to an authority	Page 427	2 3	fall within the range that I just gave you.	Page 429
2 3 4	You cite to an authority that makes the following statement, I don't want to ask you I want to ask	Page 427	2 3 4	fall within the range that I just gave you. BY MR. HEGARTY:	Page 429
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2 3 4 5 6	You cite to an authority that makes the following statement, I don't want to ask you I want to ask you if you agree with it. A. Okay.	Page 427	2 3 4 5 6	fall within the range that I just gave you. BY MR. HEGARTY: Q. Well, a number of the animal studies used nanoparticles, correct? A. They used .1 micron, but	Page 429
2 3 4 5 6 7	You cite to an authority that makes the following statement, I don't want to ask you I want to ask you if you agree with it. A. Okay. Q. In an experiment to	Page 427	2 3 4 5 6 7	fall within the range that I just gave you. BY MR. HEGARTY: Q. Well, a number of the animal studies used nanoparticles, correct?	Page 429
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		Page 430			Page 432
1	Dr. Epstein, correct?	age 430	1	A. I did not.	1 age 432
$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	A. That's correct.		2	Q. Why not?	
3	Q. I marked as Exhibit		3	A. And in terms of my report,	
4	Number 33 a copy of that letter.		4	and talking about migration, again, the	
5	(Document marked for		5	ovarian cancer and cogent biological	
6	identification as Exhibit		6	mechanism was not appropriate for that,	
7	Zelikoff-33.)		7	where I cited the original statement.	
8	BY MR. HEGARTY:		8	Q. But you cite elsewhere in	
9	Q. Is that a copy of the letter		9	your report statements and studies you	
10	that you are referencing in that		10	contend support your opinion that there	
11	paragraph?		11	is a biologically plausible mechanism	
12	A. If you could point me to the		12	between talc and ovarian cancer, correct?	
13	paragraph, please.		13	A. Yes, I do.	
14	Q. Well, it's the second		14	Q. This statement by FDA	
15	it's the second paragraph at the top of		15	concerns whether there's a biologically	
16	Page 14.		16	plausible mechanism between talc and	
17	A. Stating "further evidence		17	ovarian cancer, correct?	
18	for migration"?		18	A. That is that is what the	
19	Q. Correct.		19	FDA says, yes.	
20	A. Okay. Yes. This is the		20	Q. Did you cite FDA's statement	
21	letter that I'm referring to.		21	about as to its view of whether a	
22	Q. In the same paragraph that		22	cogent biological mechanism exists	
23	you reference, where you make where		23	anywhere in your report?	
24	you in the same paragraph where you		24	A. I did not cite this	
	F	Page 431			Page 433
1	pull out the statement that you cite		1	statement.	
2	here, "FDA states that while there exists		2	Q. You cite one statement by	
3	no direct proof of talc in ovarian		3	FDA that you believe they are correct	
4	carcinogenesis"		4	about?	
5	A. Genesis?		5	A. They put a lot of weight	
6	Q. Genesis, carcinogenesis.		6	into that statement and	
7	It's getting late for me too.		7	Q. Well, how did you weigh that	
8	Did you cite that finding by		8	statement versus the other statement that	
9	FDA in this paragraph?		9	I read at the bottom of Page 4?	
10	A. No. What I was trying to		10	A. Sorry, I'd like to find it.	
11	cite was referring to migration through		11	And repeat the question	
			4.0		ı
12	the upper genital tract. So citing the		12	please.	
12 13	the upper genital tract. So citing the information on carcinogenesis would not		13	Q. How did you weigh the	
12 13 14	the upper genital tract. So citing the information on carcinogenesis would not have been appropriate in that paragraph.		13 14	Q. How did you weigh the statements you cite about migration	
12 13 14 15	the upper genital tract. So citing the information on carcinogenesis would not have been appropriate in that paragraph. Q. If you turn over to Page 4		13 14 15	Q. How did you weigh the statements you cite about migration versus the other statement that I read at	
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	Pag	ge 434		Page 436
1	opinion in 19 in 2014, and I did not		scrutiny. I think that for what they	
2	know at all how they came to that			
3	conclusion.			
4	So in terms of migration,	4		
5	that's been ferreted out and it's well	1 :	A. Okay.	
6	known in the literature for migration of		· · · · · · · · · · · · · · · · · · ·	
7	particles. But the their opinion, the	,		
8	FDA's opinion on this, I could not			
9	substantiate in terms of what they were			
10	basing that conclusion on.	1		
11	Q. What methodology did you use	1	$\boldsymbol{\mathcal{C}}$	
12	to determine which of the statements by	1	1 6	
13	FDA in this letter you believed are	1	•	
14	correct and which you believed are not	1	· · · · · · · · · · · · · · · · · · ·	
15	correct?	1		
16	MS. O'DELL: Object to the	1		
17	form.	1		
18	THE WITNESS: Well, if it	1		
19	was a common finding such as that	1		
20	which particles can migrate which	$\frac{1}{2}$		
21	has been shown since late 1990s,	$\begin{bmatrix} 2 \\ 2 \end{bmatrix}$		
22	versus information that is given	$\begin{bmatrix} 2 \\ 2 \end{bmatrix}$		
23	in this report and is the basis	$\frac{1}{2}$	J	
$\begin{vmatrix} 23 \\ 24 \end{vmatrix}$	and is what the FDA is opining on,	$\begin{bmatrix} 2 \\ 2 \end{bmatrix}$	* >	
24	and is what the PDA is opining on,	2	Q. Do you che anywhere in your	
	Pag	ge 435		Page 437
1	Pag however, I don't know what the	ge 435		Page 437
1 2				Page 437
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	Page	120			Page 440
1		436	1		Page 440
$\frac{1}{2}$	Q. For purposes of your		1	So when you're looking at	
3	analysis in this case, did you review all		2	toxicology, it's not just the	
	the studies on talc miners and millers?		3	concentration that you use. It's	
4	A. No, I did not.		4	also the length and duration and	
5	Q. For purposes		5	frequency of the use and their	
6	A. I am not an epidemiologist.		6	cumulative effects.	
7	Q. For purposes of your		7	BY MR. HEGARTY:	
8	analysis in this case, did you look at		8	Q. Is it your opinion that a	
9	all the studies looking at talc		9	single particle of talc is sufficient for	
10	looking at long-term effects of talc	1	10	biologic plausibility?	
11	pleurodesis?	1	11	MS. O'DELL: Objection to	
12	MS. O'DELL: Object to the	1	12	form.	
13	form.	1	13	THE WITNESS: I'm pretty	
14	THE WITNESS: It was it	1	14	sure I answered that question	
15	was not my question to look at	1	15	before. But I will again,	
16	only to bring the pulmonary]	16	talcum powder is known to produce	
17	aspects in in manners that relate		17	inflammation, and inflammation is	
18	to ovarian effects and		18	known to be a biological mechanism	
19	inflammation and plausibility.		19	for cancer.	
20	So, no, I did not. I		20	BY MR. HEGARTY:	
21	reviewed several studies on		21	Q. My question is, is a single	
22	pleurodesis, in terms of		22	particle of talc in vivo sufficient for	
23	understanding it, why talcum		23	your biologic plausibility opinion in	
24	powder is used, and the effect of		24	this case?	
24	powder is used, and the effect of		24	uns case:	
	Page	439			Page 441
1	talcum powder on pleurodesis.		1	A. If it produces inflammation,	
2	BY MR. HEGARTY:		2	it could be used that way. As a matter	
3	Q. What is the volume of talc		3	of relevancy, I don't think that there's	
4	that gets introduced in vivo with a		4	anyone who produces who uses a single	
5	single application to the perineum?		5	molecule. But in answer to your	
6	MS. O'DELL: In pleurodesis?		6	question, if that single talc talcum	
7	THE WITNESS: For		7	powder product produced inflammation,	
8	pleurodesis?		8	then yes, it could it could be related	
9	BY MR. HEGARTY:		9	to biological plausibility.	
			7		
II()		1	-		
10	Q. No, just in women in		10	Q. Can you cite any published	
11	Q. No, just in women in applying strike that.	1	10 11	Q. Can you cite any published authority that supports that opinion?	
11 12	Q. No, just in women in applying strike that. MS. O'DELL: I'm sorry.	1	10 11 12	Q. Can you cite any published authority that supports that opinion? A. That shows me that one	
11 12 13	Q. No, just in women in applying strike that. MS. O'DELL: I'm sorry. BY MR. HEGARTY:	1 1 1	10 11 12 13	Q. Can you cite any published authority that supports that opinion? A. That shows me that one particle could produce inflammation?	
11 12 13 14	Q. No, just in women in applying strike that. MS. O'DELL: I'm sorry. BY MR. HEGARTY: Q. What is the volume of talc	1 1 1	10 11 12 13 14	Q. Can you cite any published authority that supports that opinion? A. That shows me that one particle could produce inflammation? Q. That could lead to cancer.	
11 12 13 14 15	Q. No, just in women in applying strike that. MS. O'DELL: I'm sorry. BY MR. HEGARTY: Q. What is the volume of talc that gets introduced in vivo with a	1 1 1 1	10 11 12 13 14 15	Q. Can you cite any published authority that supports that opinion? A. That shows me that one particle could produce inflammation? Q. That could lead to cancer. A. That could lead to cancer.	
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	•	Page 442			Page 444
1	THE VIDEOGRAPHER: The time	- 450 772	1	Q. Have you ever been elected	- 450 777
$\frac{1}{2}$	is 6:00 p.m. Off the record.		2	to membership in any of the national	
3	(Short break.)		3	academies, for example the National	
4	THE VIDEOGRAPHER: The time		4	Academy of Science?	
5	is 6:25 p.m. Back on the record.		5	A. I've not been elected as a	
6			6	member, but I have served on the advisory	
7	EXAMINATION		7	body numerous times.	
8			8	Q. Okay. But you haven't been	
9	BY MR. FERGUSON:		9	elected to membership; is that right?	
10	Q. Hello, Dr. Zelikoff.		10	A. No, that is correct.	
11	A. Hello.		11	Q. Dr. Zelikoff, have you	
12	Q. How are you?		12	communicated with any regulatory bodies	
13	A. Good, thank you.		13	of any country regarding the issue of	
14	Q. My name is Ken Ferguson, and		14	talc and ovarian cancer that we've been	
15	I represent Imerys, one of the parties to		15	discussing today?	
16	this litigation. Do you understand that?		16	A. I have not.	
17	A. I understand what you said,		17	Q. Have you communicated with	
18	yes.		18	any scientific journals or publications	
19	Q. Okay. And I'm going to have		19	regarding talc and ovarian cancer?	
20	some questions for you, which I'm going		20	A. I have not.	
21	to maybe try to go through pretty		21	Q. So, can you turn to your	
22	quickly. But just stop me if I speed up		22	report, which is Exhibit Number 2.	
23	too much. I'm told that I talk slowly.		23	A. I have it.	
24	So maybe I won't be speeding up too much.		24	Q. Okay. Can you look at the	
		Page 443			Page 445
1	So first of all let me ivet	Page 443	1	ton of Daga 2 places	Page 445
1	So first of all, let me just	Page 443	1	top of Page 3, please.	Page 445
2	go back briefly to your background and	Page 443	2	A. Yes, sir.	Page 445
2 3	go back briefly to your background and qualifications.	Page 443	2 3	A. Yes, sir.Q. And in the first full	Page 445
2 3 4	go back briefly to your background and qualifications. A. Okay.	Page 443	2 3 4	A. Yes, sir. Q. And in the first full paragraph on that page, it says, "My	Page 445
2 3 4 5	go back briefly to your background and qualifications. A. Okay. Q. Just briefly, do you	Page 443	2 3 4 5	A. Yes, sir. Q. And in the first full paragraph on that page, it says, "My opinions below are based upon my	Page 445
2 3 4 5 6	go back briefly to your background and qualifications. A. Okay. Q. Just briefly, do you currently have a laboratory?	Page 443	2 3 4 5 6	A. Yes, sir. Q. And in the first full paragraph on that page, it says, "My opinions below are based upon my experience as a toxicologist and research	Page 445
2 3 4 5 6 7	go back briefly to your background and qualifications. A. Okay. Q. Just briefly, do you currently have a laboratory? A. I do have a laboratory.	Page 443	2 3 4 5 6 7	A. Yes, sir. Q. And in the first full paragraph on that page, it says, "My opinions below are based upon my experience as a toxicologist and research scientist and have been reached through	Page 445
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		Page 446			Page 448
1	non-peer-reviewed research that is paid	1 ugc ++0	1	testing from the company?	1 450 770
2	for by a party that has a direct		2	BY MR. FERGUSON:	
3	financial interest in the outcome of the		3	Q. And my question was, can you	
4	study?		4	cite any scientific articles that you've	
5	MS. O'DELL: Object to the		5	authored in which you cited an	
6	form.		6	unpublished paper authored by an expert	
7	THE WITNESS: I go by the		7	witness who is being paid in the	
8	science. I don't look at the		8	litigation on the very topic that you're	
9	funding. Many scientists do. But		9	writing on?	
10	I think if the science is sound, I		10	A. I have not had that	
11	look at the science I go by the		11	opportunity so the answer is no.	
12	science.		12	Q. So, you've never done that	
13	BY MR. FERGUSON:		13	in your academic writings, correct?	
14	Q. Look at look at Page 8,		14	A. If you mean that by that,	
15	please.		15	that I have never cited an unpublished	
16 17	A. Yes, sir.Q. There in the first full		16 17	paper authored by an expert witness? Q. Yes, ma'am.	
18	paragraph, you talk about recent TEM		18	A. I have not done I have	
19	testing on historic samples.		19	not had the opportunity to do that. My	
20	Do you see that sentence?		20	publications are primarily, if not	
21	A. Recent TEM testing on		21	solely, based either on reviews or or	
22	historic samples, yes.		22	results that have emerged from my own	
23	Q. And you cite Longo and		23	laboratory or a colleague's laboratory.	
24	Rigler from 2018, correct?		24	I've not had that	
-					
		Page 447			Page 449
1	A. Mm hmm hmm voc	Page 447	1	opportunity. So the engager is no	Page 449
1 2	A. Mm-hmm-hmm, yes.	Page 447	1	opportunity. So the answer is no.	Page 449
2	Q. Okay. And are you aware	Page 447	2	Q. If you look at Page 7.	Page 449
2 3	Q. Okay. And are you aware that Longo and Rigler are paid expert	Page 447	2 3	Q. If you look at Page 7.A. Of the report?	Page 449
2 3 4	Q. Okay. And are you aware that Longo and Rigler are paid expert witnesses who were hired by plaintiffs'	Page 447	2 3 4	Q. If you look at Page 7.A. Of the report?Q. Of of your report. Yes	Page 449
2 3 4 5	Q. Okay. And are you aware that Longo and Rigler are paid expert witnesses who were hired by plaintiffs' counsel to testify in talc litigation,	Page 447	2 3 4 5	Q. If you look at Page 7.A. Of the report?Q. Of of your report. Yes please.	Page 449
2 3 4	Q. Okay. And are you aware that Longo and Rigler are paid expert witnesses who were hired by plaintiffs'	Page 447	2 3 4	Q. If you look at Page 7. A. Of the report? Q. Of of your report. Yes please. On Page 7 you say, "In 2004,	Page 449
2 3 4 5 6	Q. Okay. And are you aware that Longo and Rigler are paid expert witnesses who were hired by plaintiffs' counsel to testify in talc litigation, including this matter you're working on?	Page 447	2 3 4 5 6	Q. If you look at Page 7.A. Of the report?Q. Of of your report. Yes please.	Page 449
2 3 4 5 6 7	Q. Okay. And are you aware that Longo and Rigler are paid expert witnesses who were hired by plaintiffs' counsel to testify in talc litigation, including this matter you're working on? A. I understand I understand	Page 447	2 3 4 5 6 7	Q. If you look at Page 7. A. Of the report? Q. Of of your report. Yes please. On Page 7 you say, "In 2004, a television station reported that	Page 449
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. And are you aware that Longo and Rigler are paid expert witnesses who were hired by plaintiffs' counsel to testify in talc litigation, including this matter you're working on? A. I understand I understand today that they are plaintiffs' witnesses, experts. Q. Can you cite any scientific articles that you've authored in the past in which you cited an unpublished paper that was authored by expert witnesses hired by a party in litigation on the very topic that you're writing on? MS. O'DELL: Objection to form. THE WITNESS: I relied primarily on Longo. But it is, as I said, or as I will say, it's a Johnson & Johnson product that	Page 447	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. If you look at Page 7. A. Of the report? Q. Of of your report. Yes please. On Page 7 you say, "In 2004, a television station reported that Johnson's Baby Powder had been analyzed and found anthophyllite asbestos at 0.2 percent," correct? A. I see that. That's in the last paragraph. The second sentence: In 2004, a television station reported Johnson's Baby Powder had been analyzed and found anthophyllite asbestos at 0.2 percent, yes. Q. In your previous academic research, have you ever cited to stories run on local television stations? A. I have. Q. And is that something that	Page 449

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			l		
		Page 450			Page 452
1	THE WITNESS: It depends on		1	BY MR. FERGUSON:	
2	the scientific paper. And it		2	Q. And that's in your report,	
3	it depends on the source of the		3	correct?	
4	media.		4	A. On Page 7 at the top.	
5	BY MR. FERGUSON:		5	Q. Then you also cited	
6	Q. If we go to Pages 6		6	Dr. Blount's paper that you and	
7	A. If if I may add to that,		7	Mr. Hegarty talked about, correct?	
8	my recollection is that that television		8	A. I'm sorry, can you give me a	
9	station data was given to Johnson &		9	location?	
10	Johnson and it was not I did not cite		10	Q. Sure. It's the second	
11	television station itself, but the the		11	paragraph on Page 7.	
12	document that was turned over to Johnson		12	A. Van Gosen?	
13	& Johnson.		13	Q. No, the second full	
14	Q. If you go to Page 6 of		14	paragraph, cosmetic and pharmaceutical	
15	your		15	talc products, et cetera	
16	A. Page what, I'm sorry?		16	A. Yes, deposition of Alice	
17	Q. 6.		17	Blount. Yes.	
18	A. 6?		18	Q. Correct.	
19	Q. So on Pages 6 to 8 you cite		19	A. Sorry to interrupt.	
20	documents or other sources that you claim		20	Q. And Dr. Blount's paper was	
21	show the presence of asbestos in talc		21	some 30 or so years ago, correct?	
22	powder, correct? You		22	A. 1991.	
23	A. Pages 6 to 8?		23	Q. And and I won't go	
24	Q. Yeah. Why don't you go to		24	through this in detail, but Mr. Hegarty	
-					
		Page 451			Page 453
1	the top of 7. Let me go to it	Page 451	1	discussed with you the fact that II S	Page 453
1 2	the top of 7. Let me go to it	Page 451	1 2	discussed with you the fact that U.S.	Page 453
2	specifically.	Page 451	1 2 3	Food and Drug Administration conducted a	Page 453
2 3	specifically. One of the things you cite	Page 451	3	Food and Drug Administration conducted a survey of cosmetic grade raw material	Page 453
2 3 4	specifically. One of the things you cite to is Paoletti in 1984?	Page 451	3 4	Food and Drug Administration conducted a survey of cosmetic grade raw material talc and some cosmetic products	Page 453
2 3 4 5	specifically. One of the things you cite to is Paoletti in 1984? A. Yes, sir.	Page 451	3 4 5	Food and Drug Administration conducted a survey of cosmetic grade raw material talc and some cosmetic products containing talc. And you were generally	Page 453
2 3 4 5 6	specifically. One of the things you cite to is Paoletti in 1984? A. Yes, sir. Q. Okay. And the Paoletti	Page 451	3 4 5 6	Food and Drug Administration conducted a survey of cosmetic grade raw material talc and some cosmetic products containing talc. And you were generally aware of that, correct?	Page 453
2 3 4 5 6 7	specifically. One of the things you cite to is Paoletti in 1984? A. Yes, sir. Q. Okay. And the Paoletti study was completed I don't know if I	Page 451	3 4 5 6 7	Food and Drug Administration conducted a survey of cosmetic grade raw material talc and some cosmetic products containing talc. And you were generally aware of that, correct? A. The FDA report that he he	Page 453
2 3 4 5 6 7 8	specifically. One of the things you cite to is Paoletti in 1984? A. Yes, sir. Q. Okay. And the Paoletti study was completed I don't know if I can do my math very well, but is that	Page 451	3 4 5 6 7 8	Food and Drug Administration conducted a survey of cosmetic grade raw material talc and some cosmetic products containing talc. And you were generally aware of that, correct? A. The FDA report that he he pointed me to, yes.	Page 453
2 3 4 5 6 7 8 9	specifically. One of the things you cite to is Paoletti in 1984? A. Yes, sir. Q. Okay. And the Paoletti study was completed I don't know if I can do my math very well, but is that 36 years ago?	Page 451	3 4 5 6 7 8 9	Food and Drug Administration conducted a survey of cosmetic grade raw material talc and some cosmetic products containing talc. And you were generally aware of that, correct? A. The FDA report that he he pointed me to, yes. Q. Okay. You were aware but	Page 453
2 3 4 5 6 7 8 9 10	specifically. One of the things you cite to is Paoletti in 1984? A. Yes, sir. Q. Okay. And the Paoletti study was completed I don't know if I can do my math very well, but is that 36 years ago? A. 36, yes.	Page 451	3 4 5 6 7 8 9 10	Food and Drug Administration conducted a survey of cosmetic grade raw material talc and some cosmetic products containing talc. And you were generally aware of that, correct? A. The FDA report that he he pointed me to, yes. Q. Okay. You were aware but you didn't cite it, correct?	Page 453
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1 BY MR. FERGUSON: 2 Q. Do you do you recall when 3 that survey was from? 4 A. The FDA was 2014. I don't 5 recall a specific. 6 Q. Well, okay. Counsel's 7 suggested it. Why don't we go ahead and 8 mark as Exhibit 37. 9 (Document marked for 10 identification as Exhibit 11 Zelikoff-37.) 12 BY MR. FERGUSON: 13 Q. And is this a document that 14 you've reviewed before? 10 ILuzenac America, correct? 2 A. Correct. On the left side. 3 Q. On the left side. And on 4 the right side there are two columns the percentage asbestos by PLM and 6 percentage asbestos by TEM, correct? 7 A. I see that. 8 Q. And each of those says NAD 9 correct? 10 A. They say NAD. 11 Q. And from your review of 12 this, do you know that NAD means not asbestos detected? 14 A. Yes, I do. That means that	? D,
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13 Q. And is this a document that 13 asbestos detected?)
14 you've reviewed before? 14 A. Yes, I do. That means that	li de la companya de
A. This is a document that I 15 the measurements that they had and the	ne
16 have reviewed, yes. 16 scientific and the sensitivities that	
Q. Okay. If you look at Page 2 17 they were using at the given time, they	y
18 at the top of the page, in the second 18 did not see any, is my interpretation o	
19 paragraph there, it says, "The study ran 19 that.	
20 from September 28, 2009, to September 27, 20 Q. According to the paper that	
21 2010," correct? 21 you said, NAD means no asbestos det	ected
22 A. So I'm trying to put that 22 correct?	ceted,
23 sentence into context. So I need to read 23 A. In this study, yes, correct.	
24 the above sentences. 24 Q. Let's take a look. You've	
24 the above sentences.	
Page 455	Page 457
1 I assume that the study they 1 cited to IARC several times during	
2 are talking about was the contract with 2 your in your report, correct?	
3 the AMA analytical services to conduct 3 A. Yes, I did.	
4 the laboratory survey. 4 Q. And let's look at the IARC	
5 Is that the study that they 5 monograph 100 C, which was publish	ed in
6 are referring to? It's unclear. 6 2012 that I've marked as Exhibit 36.	
7 Q. And in your review of this 7 (Document marked for	
8 document, did you read that there was no 8 identification as Exhibit	
9 asbestos detected by the survey by the 9 Zelikoff-36.)	
10 FDA in either the cosmetic grade raw 10 THE WITNESS: Entitled	
11 material tale, or the finished product 11 Arsenic Metals, Fibrous and Dust	tc?
12 cosmetic products containing talc, 12 BY MR. FERGUSON:	
13 correct? 13 Q. Correct.	
16 Q. If you look at Page 3? 16 A. You've provided me with	
17 A. Yes, sir. 17 three pages.	
18 Q. See where it says at the top 18 Q. Okay. And was that	
19 of the page, "Cosmetic raw material 19 Page 225?	
20 talc"? 20 A. 225 starts 1.5 human	
A. I see that, yes, sir.	
Q. Correct? 22 Q. Okay. If you look at the	
Then there is a list of 23 top of 225. Do you have that page?	
24 suppliers called Rio Tinto Minerals 24 A. Yes, sir.	

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	Page 4:	8		Page 460
1	Q. In an exposure it says,	$\begin{vmatrix} 1 \end{vmatrix}$	A. That's what's here, yes.	1 450 700
2	"Inhalation and ingestion are the primary	2	Q. Okay. So certainly based on	
3	routes of exposure to asbestos," correct?	3	what IARC has said, a person could inhale	
4	MS. O'DELL: Objection to	4	or ingest one or more asbestos fibers	
5	form.	5	from the air that they breathe, correct?	
6	BY MR. FERGUSON:	6	MS. O'DELL: Objection to	
7	Q. The very first sentence.	7	form.	
8	A. Mm-hmm-hmm. I cannot attest	8	THE WITNESS: Based on the	
9	to ingestion, but certainly inhalation is	9	measurements, I can't really tell	
10	a primary.	10	where they took these, where they	
11	Q. But you'd agree that that	11	took the measurements or how they	
12	this is what IARC said, correct?	12	measured them, from this Page 225,	
13	A. I agree that this is what's	13	but based on what they are saying	
14	in IARC, yes, 2012.	14	here, they have measured in	
15	Q. And then there's another	15	outdoor air and rural locations,	
16	section called exposure of the general	16	10 fibers per cubic meter, yes.	
17	population, correct?	17	As I said, if you look down	
18	A. Yes, sir.	18	in that paragraph it also	
19	Q. And in the second paragraph	19	indicates that asbestos has been	
20	under that, do you see that paragraph	20	measured in the air in a disaster	
21	starts in studies of asbestos	21	such as the World Trade Center, in	
22	concentrations?	22	higher concentrations by	
23	A. I do.	23	Dr. Longo.	
24	Q. Okay. And and let's	24	BY MR. FERGUSON:	
	Page 4:	9		Page 461
1	Page 4: let's read it and see if it you and I	9 1	Q. And then if you look at	Page 461
2	let's read it and see if it you and I agree on what it says.	1 2	Q. And then if you look at Page 229. Are you with me?	Page 461
	let's read it and see if it you and I agree on what it says. "In studies of asbestos	1		Page 461
2	let's read it and see if it you and I agree on what it says.	1 2	Page 229. Are you with me?	Page 461
2 3	let's read it and see if it you and I agree on what it says. "In studies of asbestos	1 2 3	Page 229. Are you with me? A. Yes, I am.	Page 461
2 3 4 5 6	let's read it and see if it you and I agree on what it says. "In studies of asbestos concentrations in outdoor air, chrysotile	1 2 3 4 5 6	Page 229. Are you with me? A. Yes, I am. Q. Under B, dietary exposure.	Page 461
2 3 4 5 6 7	let's read it and see if it you and I agree on what it says. "In studies of asbestos concentrations in outdoor air, chrysotile is the predominant fiber detected. Low levels of asbestos have been measured in outdoor air in rural locations; typical	1 2 3 4 5	Page 229. Are you with me? A. Yes, I am. Q. Under B, dietary exposure. A. Yes. Q. It says in the first sentence under that paragraph heading,	Page 461
2 3 4 5 6 7 8	let's read it and see if it you and I agree on what it says. "In studies of asbestos concentrations in outdoor air, chrysotile is the predominant fiber detected. Low levels of asbestos have been measured in outdoor air in rural locations; typical concentration, 10 fibers per cubic meter.	1 2 3 4 5 6 7 8	Page 229. Are you with me? A. Yes, I am. Q. Under B, dietary exposure. A. Yes. Q. It says in the first sentence under that paragraph heading, "The general population can be exposed to	Page 461
2 3 4 5 6 7 8 9	let's read it and see if it you and I agree on what it says. "In studies of asbestos concentrations in outdoor air, chrysotile is the predominant fiber detected. Low levels of asbestos have been measured in outdoor air in rural locations; typical concentration, 10 fibers per cubic meter. Typical concentrations are about tenfold	1 2 3 4 5 6 7 8 9	Page 229. Are you with me? A. Yes, I am. Q. Under B, dietary exposure. A. Yes. Q. It says in the first sentence under that paragraph heading, "The general population can be exposed to asbestos in drinking water," correct?	Page 461
2 3 4 5 6 7 8 9 10	let's read it and see if it you and I agree on what it says. "In studies of asbestos concentrations in outdoor air, chrysotile is the predominant fiber detected. Low levels of asbestos have been measured in outdoor air in rural locations; typical concentration, 10 fibers per cubic meter. Typical concentrations are about tenfold higher in urban locations and about 1,000	1 2 3 4 5 6 7 8 9	Page 229. Are you with me? A. Yes, I am. Q. Under B, dietary exposure. A. Yes. Q. It says in the first sentence under that paragraph heading, "The general population can be exposed to asbestos in drinking water," correct? A. It can happen under certain	Page 461
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	Page 4	2		Page 464
1	to 300 million fibers per liter or even	1	(Whereupon, a discussion was	
2	higher." Correct?	2	held off the record.)	
3	MS. O'DELL: Objection to	3	THE VIDEOGRAPHER: The time	
4	form.	4	is 6:46 p.m. Back on the record.	
5	THE WITNESS: That's what it	5		
6	says here.	6	EXAMINATION	
7	BY MR. FERGUSON:	7	DVAM ANGA DENA	
8	Q. So	8	BY MR. HEGARTY:	
9	A. But it's talking about	9	Q. Doctor, you have done a	
10	it's talking about specific locations and	10	number of studies looking at inhalation	
11	it's also saying "can." This is not a	11	of particles in animal species primarily,	
12 13	normal situation. Normal this is a	12 13	correct?	
14	contaminated situation.	13	A. In animal species primarily, but also I have done studies in cell	
15	Q. But as IARC said, in the	15		
16	first line we talked about, inhalation and ingestion can be routes of exposure	16	culture, yes. Q. In any of the studies where	
17	to asbestos for the general population,	17	you have looked at inhalation of	
18	correct?	18	particles in animals, have you reported	
19	A. It can be. Can being the	19	finding those particles in the ovaries?	
20	keyword.	20	A. I did not look in the	
21	Q. I've got some more questions	21	ovaries.	
22	that I could ask. But I'm going to pass	22	Q. So have you ever evaluated	
23	it back to Mr. Hegarty.	23	the ovaries in any study that you have	
24	THE WITNESS: Hello again.	24	done?	
	Page 4	.2		Page 465
١.	Page 4			Page 463
1	MR. HEGARTY: Hello again.		A. I have evaluated in the	
2	MS. O'DELL: So are you	$\frac{1}{2}$	cadmium particle studies, we looked for	
3	finished with your questions?	3		
	MD EEDCHCON, Harry 14 and		the soluble ions, that's what we	
4	MR. FERGUSON: I have other	4	measured, using atomic absorption and ICT	
5	questions that I could ask. But	5	measured, using atomic absorption and ICT mass spec. And we did find cadmium	
5 6	questions that I could ask. But I'm trying to share the limited	4 5 6	measured, using atomic absorption and ICT mass spec. And we did find cadmium sorry. Sorry. We did find soluble	
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5 6 7 8 9	questions that I could ask. But I'm trying to share the limited time that we have. MS. O'DELL: I understand. I'm just trying typically we	4 5 6 7 8 9	measured, using atomic absorption and ICT mass spec. And we did find cadmium sorry. Sorry. We did find soluble cadmium ions in the in the tissue in the ovaries. Q. Of what animal?	
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	•	Page 466			Page 468
1	Q. What about platy talc? Will	ruge .co	1	to reach it can reach the deep lung,	1 450 100
2	platy talc travel in the body as cadmium		2	if it's five micrometers or smaller.	
3	would travel?		3	And	
4	A. Cadmium is a has traveled		4	Q. Go ahead.	
5	as a soluble ion. So platy talc		5	A. And in that case since it's	
6	neither platy talc nor asbestos will		6	not disposed of through the mucociliary	
7	travel as a soluble ion. They are		7	escalator, then it is in the other parts	
8	fibers.		8	of the lung and it can reach the	
9	Q. Have you done		9	capillaries. And once it gets into the	
10	A. They are I'm sorry, platy		10	bloodstream, it can be transported.	
11	talc is a crystal with different forms.		11	Certain particles have predilections for	
12	But my understanding is that platy talc		12	where they go.	
13	can fracture and also form fragments and		13	Q. When you say it can be	
14	they could travel, given their size.		14	transported, does that include to the	
15	Q. Could they travel as cadmium		15	ovaries?	
16	has traveled in your studies, if that		16	A. Are you asking specifically	
17	happens?		17	about talc or particles in general?	
18	A. No, in in my studies we		18	Q. Particles in general that	
19	did not measure we did not look for		19	meet the size standards that you just	
20	the presence of the particle of the		20	referenced of getting into the deep lung?	
21	nanoparticle in the tissues. We measured		21	A. Mm-hmm-hmm. There's no	
22	for the metal in those tissues.		22	reason not to believe that it couldn't	
23	So we are of the opinion		23	get into the ovaries.	
24	that it was the soluble ion that was		24	Q. Did you examine, for	
-					
		Page 467			Page 460
1	released and in this case I know of no	Page 467	1	purposes of your biological plausibility	Page 469
1 2	released, and in this case, I know of no	Page 467	1	purposes of your biological plausibility	Page 469
2	studies off the top of my head that	Page 467	2	opinion, all the studies looking at	Page 469
2 3	studies off the top of my head that measured how much of the other components	Page 467	2 3	opinion, all the studies looking at NSAIDs and use of aspirin in women with	Page 469
2 3 4	studies off the top of my head that measured how much of the other components were released.	Page 467	2 3 4	opinion, all the studies looking at NSAIDs and use of aspirin in women with ovarian cancer?	Page 469
2 3 4 5	studies off the top of my head that measured how much of the other components were released. Q. Can any particle that's	Page 467	2 3 4 5	opinion, all the studies looking at NSAIDs and use of aspirin in women with ovarian cancer? A. I looked at several studies.	Page 469
2 3 4 5 6	studies off the top of my head that measured how much of the other components were released. Q. Can any particle that's inhaled reach the ovary?	Page 467	2 3 4 5 6	opinion, all the studies looking at NSAIDs and use of aspirin in women with ovarian cancer? A. I looked at several studies. I'm sure I	Page 469
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	Pag	e 470		Page 472
1	can damage cellular macromolecules and		on Page 21 of your report?	Ţ
2	contribute to neoplastic transformation	,		
3	and/or tumor growth. Other likely			
4	manifestations of talc." That's the			
5	paragraph that you're referring to.		· · · · · · · · · · · · · · · · · · ·	
6	Q. You do agree that a relevant			
7	body of literature is whether NSAIDs or	,		
8	aspirin have an effect on ovarian cancer			
9	risk, if you're considering inflammation		- •	
10	as a biologically plausibility mechanism.	1		
11	A. NSAIDs being an one type	1	•	
12	of anti-inflammatory, it could reduce	1		
13	oxidative stress, yes, to different	1	•	
14	degrees.	1		
15	Q. If you look at the abstract	1		
16	on the first page of the Merritt paper.	1	7 71	
17	A. Yes.	1		
18	Q. At the very end, they say,	1		
19	"We conclude that on balance chronic	1		
20	inflammation does not play a major role	2		
21	in the development of ovarian cancer."	2	consistent across types of incident."	
22	Do you see where I'm	2		
23	reading?	2		
24	A. I'm seeing the last	2		
_				
	Pag	e 471		Page 473
1		e 471	reading.	Page 473
1 2	sentence, yes.		reading. Q. That finding is inconsistent	Page 473
2	sentence, yes. Q. Do you agree with that		Q. That finding is inconsistent	-
	sentence, yes.		Q. That finding is inconsistent with inflammation as a mechanism by which	-
2 3	sentence, yes. Q. Do you agree with that statement in general?	,	Q. That finding is inconsistent with inflammation as a mechanism by whice ovarian cancer can occur, correct?	-
2 3 4	sentence, yes. Q. Do you agree with that statement in general? A. I do not agree with that	,	Q. That finding is inconsistent with inflammation as a mechanism by whice ovarian cancer can occur, correct? MS. O'DELL: Object to the	-
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	•	Page 474			Page 476
1	findings as to NSAIDs and risk of ovarian		1	proinflammatory cytokines and oxidase,	
2	cancer, correct?		2	yes.	
3	A. I do not cite that		3	Q. Is there any study that	
4	particular sentence, no.		4	sites the clinical significance of ATF as	
5	Q. Over on Page 23, you refer		5	it relates to ovarian cancer risk?	
6	to the Shukla study?		6	MS. O'DELL: Object to the	
7	A. Yes, sir.		7	form.	
8	Q. That's second to the last		8	THE WITNESS: No study that	
9	paragraph?		9	I'm currently aware of. But there	
10	A. "In a molecular cell study		10	are many studies that link ATF	
11	by Shukla"?		11	upregulation to inflammation and	
12	Q. Yes. The strike that.		12	then inflammation to in the	
13	Gene expressions like those		13	process of carcinogenesis, both	
14	measured in the Shukla study occur		14	progression and initiation.	
15	everyday in everyone, correct?		15	BY MR. HEGARTY:	
16	MS. O'DELL: Objection to		16	Q. If you turn over to the	
17	form.		17	second to the last page of your report,	
18	THE WITNESS: There are		18	Page 27.	
19	changes in genes per day. But		19	In Paragraph 3, you say that	
20	I'm I'm not I do not know		20	exposure to talcs	
21	nor do I have knowledge of whether		21	A. Excuse me, Number 3?	
22	the gene for ATF3 or ATF1 is		22	Q. I called it Paragraph 3.	
23	changed everyday by no exposure.		23	You can call it Number 3.	
24	BY MR. HEGARTY:		24	A. It's listed as Number 3.	
		Page 475			Page 477
1		Page 475	1	O. 3. You state that "exposure	Page 477
1 2	Q. But the the fact of gene	Page 475	1 2	Q. 3. You state that "exposure to talcum powder products causes an	Page 477
2	Q. But the the fact of gene expression is not a strike that.	Page 475	2	to talcum powder products causes an	Page 477
2 3	Q. But the the fact of gene expression is not a strike that. The fact that gene	Page 475	2 3	to talcum powder products causes an inflammatory tissue reaction which may	Page 477
2 3 4	Q. But the the fact of gene expression is not a strike that. The fact that gene expression occurs does not mean that	Page 475	2 3 4	to talcum powder products causes an inflammatory tissue reaction which may result in the following," and then you	Page 477
2 3	Q. But the the fact of gene expression is not a strike that. The fact that gene expression occurs does not mean that cancer will occur, correct?	Page 475	2 3	to talcum powder products causes an inflammatory tissue reaction which may	Page 477
2 3 4 5	Q. But the the fact of gene expression is not a strike that. The fact that gene expression occurs does not mean that cancer will occur, correct? A. No. My role is to look for	Page 475	2 3 4 5	to talcum powder products causes an inflammatory tissue reaction which may result in the following," and then you list A. Elevation.	Page 477
2 3 4 5 6 7	Q. But the the fact of gene expression is not a strike that. The fact that gene expression occurs does not mean that cancer will occur, correct? A. No. My role is to look for biological plausibility, and when you	Page 475	2 3 4 5 6 7	to talcum powder products causes an inflammatory tissue reaction which may result in the following," and then you list A. Elevation. Q a number of of events	Page 477
2 3 4 5 6	Q. But the the fact of gene expression is not a strike that. The fact that gene expression occurs does not mean that cancer will occur, correct? A. No. My role is to look for	Page 475	2 3 4 5 6	to talcum powder products causes an inflammatory tissue reaction which may result in the following," and then you list A. Elevation. Q a number of of events that you label as A through F I'm	Page 477
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2 3 4 5 6 7 8 9 10	Q. But the the fact of gene expression is not a strike that. The fact that gene expression occurs does not mean that cancer will occur, correct? A. No. My role is to look for biological plausibility, and when you have a transcription factor which is so well immersed into oxidation and reactive oxygen species and inflammation, and I	Page 475	2 3 4 5 6 7 8	to talcum powder products causes an inflammatory tissue reaction which may result in the following," and then you list A. Elevation. Q a number of of events that you label as A through F I'm sorry, A through G carrying over to the top of the next page.	Page 477
2 3 4 5 6 7 8 9 10	Q. But the the fact of gene expression is not a strike that. The fact that gene expression occurs does not mean that cancer will occur, correct? A. No. My role is to look for biological plausibility, and when you have a transcription factor which is so well immersed into oxidation and reactive oxygen species and inflammation, and I would say that changes or upregulation of	Page 475	2 3 4 5 6 7 8 9 10 11	to talcum powder products causes an inflammatory tissue reaction which may result in the following," and then you list A. Elevation. Q a number of of events that you label as A through F I'm sorry, A through G carrying over to the top of the next page. A. I see that, thank you.	Page 477
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. But the the fact of gene expression is not a strike that. The fact that gene expression occurs does not mean that cancer will occur, correct? A. No. My role is to look for biological plausibility, and when you have a transcription factor which is so well immersed into oxidation and reactive oxygen species and inflammation, and I would say that changes or upregulation of the of the ATF gene certainly is linked with inflammation. Q. Can you cite for me any studies that have used measurements of level of the levels of ATF3 to assess	Page 475	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	to talcum powder products causes an inflammatory tissue reaction which may result in the following," and then you list A. Elevation. Q a number of of events that you label as A through F I'm sorry, A through G carrying over to the top of the next page. A. I see that, thank you. Q. Can you cite for me any studies showing any of that activity in women using talc on the perineum? MS. O'DELL: Object to the form. THE WITNESS: If I can	Page 477
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q. But the the fact of gene expression is not a strike that. The fact that gene expression occurs does not mean that cancer will occur, correct? A. No. My role is to look for biological plausibility, and when you have a transcription factor which is so well immersed into oxidation and reactive oxygen species and inflammation, and I would say that changes or upregulation of the of the ATF gene certainly is linked with inflammation. Q. Can you cite for me any studies that have used measurements of level of the levels of ATF3 to assess ovarian cancer risk? A. I cannot cite those studies to you, but again, going back to	Page 475	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	to talcum powder products causes an inflammatory tissue reaction which may result in the following," and then you list A. Elevation. Q a number of of events that you label as A through F I'm sorry, A through G carrying over to the top of the next page. A. I see that, thank you. Q. Can you cite for me any studies showing any of that activity in women using talc on the perineum? MS. O'DELL: Object to the form. THE WITNESS: If I can recall the Health Canada study, I think they looked at they also	Page 477
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. But the the fact of gene expression is not a strike that. The fact that gene expression occurs does not mean that cancer will occur, correct? A. No. My role is to look for biological plausibility, and when you have a transcription factor which is so well immersed into oxidation and reactive oxygen species and inflammation, and I would say that changes or upregulation of the of the ATF gene certainly is linked with inflammation. Q. Can you cite for me any studies that have used measurements of level of the levels of ATF3 to assess ovarian cancer risk? A. I cannot cite those studies to you, but again, going back to biological plausibility, I can tell you that this gene is extremely important in	Page 475	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	to talcum powder products causes an inflammatory tissue reaction which may result in the following," and then you list A. Elevation. Q a number of of events that you label as A through F I'm sorry, A through G carrying over to the top of the next page. A. I see that, thank you. Q. Can you cite for me any studies showing any of that activity in women using talc on the perineum? MS. O'DELL: Object to the form. THE WITNESS: If I can recall the Health Canada study, I think they looked at they also included inflammatory responses that are seen in some of their	Page 477
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. But the the fact of gene expression is not a strike that. The fact that gene expression occurs does not mean that cancer will occur, correct? A. No. My role is to look for biological plausibility, and when you have a transcription factor which is so well immersed into oxidation and reactive oxygen species and inflammation, and I would say that changes or upregulation of the of the ATF gene certainly is linked with inflammation. Q. Can you cite for me any studies that have used measurements of level of the levels of ATF3 to assess ovarian cancer risk? A. I cannot cite those studies to you, but again, going back to biological plausibility, I can tell you that this gene is extremely important in growth factors and proinflammatory	Page 475	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	to talcum powder products causes an inflammatory tissue reaction which may result in the following," and then you list A. Elevation. Q a number of of events that you label as A through F I'm sorry, A through G carrying over to the top of the next page. A. I see that, thank you. Q. Can you cite for me any studies showing any of that activity in women using talc on the perineum? MS. O'DELL: Object to the form. THE WITNESS: If I can recall the Health Canada study, I think they looked at they also included inflammatory responses	Page 477
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. But the the fact of gene expression is not a strike that. The fact that gene expression occurs does not mean that cancer will occur, correct? A. No. My role is to look for biological plausibility, and when you have a transcription factor which is so well immersed into oxidation and reactive oxygen species and inflammation, and I would say that changes or upregulation of the of the ATF gene certainly is linked with inflammation. Q. Can you cite for me any studies that have used measurements of level of the levels of ATF3 to assess ovarian cancer risk? A. I cannot cite those studies to you, but again, going back to biological plausibility, I can tell you that this gene is extremely important in	Page 475	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	to talcum powder products causes an inflammatory tissue reaction which may result in the following," and then you list A. Elevation. Q a number of of events that you label as A through F I'm sorry, A through G carrying over to the top of the next page. A. I see that, thank you. Q. Can you cite for me any studies showing any of that activity in women using talc on the perineum? MS. O'DELL: Object to the form. THE WITNESS: If I can recall the Health Canada study, I think they looked at they also included inflammatory responses that are seen in some of their meta-analysis.	Page 477

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		Page 478			Page 480
1	study the Teher study was a	rage 4/8	1	as a whilit Evhibits 40 through	rage 460
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	study, the Taher study, was a meta-analysis, correct?		1 2	as exhibit Exhibits 40 through 48 I'm sorry, 47 the	
3	A. Yes, correct.		3	notebooks that had been produced	
4	Q. Can you cite for me any		4	for purposes of the deposition	
5	studies reporting that reporting these		5	here today.	
6	events occurring in women using talc on		6	(Documents marked for	
7	the perineum?		7	identification as Exhibits	
8	MS. O'DELL: Object to the		8	Zelikoff-40 through 47.)	
9	form.		9	BY MR. HEGARTY:	
10	THE WITNESS: If you're		10	Q. Over on Page 23, you	
11	asking me if gene alterations or		11	A. Of my report?	
12	mutations or the level of		12	Q. Of your report, with regard	
13	apoptosis has been measured in any		13	to the Shukla study.	
14	women exposed, no, I do not recall		14	I'm sorry, over on Page 26.	
15	that.		15	You cite again the Shukla study. Do you	
16	BY MR. HEGARTY:		16	see that where do you see where you	
17	Q. Have any of the processes		17	say "nonfibrous tale at low in vitro	
18	A. Excuse me. If I may add.		18	exposure concentrations caused increased	
19	But inflammatory markers have been looked		19	expression of transcription factors	
20	at in women with ovarian cancer and they		20	associated with the inflammatory process	
21	are elevated.		21	in a time and dose dependent manner"?	
22	Q. And my question, as you'll		22	A. I'm sorry, I'm not clear	
23	recall, is specific to talc users,		23	on	
24	correct?		24	Q. Middle of the second full	
		Page 479			Page 481
1	MS. O'DELL: Objection to		1	paragraph.	
2	form.		2	A. Not after the Mori	
3	THE WITNESS: Talc yes,		3	citation?	
4	tale products.		4	Q. Yes.	
5	BY MR. HEGARTY:		-		
6			5	A. "Nonfibrous tale at low in	
	Q. Can you can you cite to		5 6	vitro exposure concentrations caused	
7	me any studies showing elevations of any		5	vitro exposure concentrations caused increased expression of transcription	
8	me any studies showing elevations of any of these processes in women using talc?		5 6 7 8	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory	
8 9	me any studies showing elevations of any		5 6 7 8 9	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent	
8 9 10	me any studies showing elevations of any of these processes in women using talc? MS. O'DELL: Object to the form.		5 6 7 8 9 10	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent manner." Yes, I see that.	
8 9 10 11	me any studies showing elevations of any of these processes in women using talc? MS. O'DELL: Object to the form. THE WITNESS: Well,		5 6 7 8 9 10 11	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent manner." Yes, I see that. Q. What did you mean by say	
8 9 10 11 12	me any studies showing elevations of any of these processes in women using talc? MS. O'DELL: Object to the form. THE WITNESS: Well, neoplastic transformation and		5 6 7 8 9 10 11 12	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent manner." Yes, I see that. Q. What did you mean by say by time and dose manner?	
8 9 10 11 12 13	me any studies showing elevations of any of these processes in women using talc? MS. O'DELL: Object to the form. THE WITNESS: Well, neoplastic transformation and proliferation is clearly seen		5 6 7 8 9 10 11 12 13	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent manner." Yes, I see that. Q. What did you mean by say by time and dose manner? A. May I see the paper?	
8 9 10 11 12 13 14	me any studies showing elevations of any of these processes in women using talc? MS. O'DELL: Object to the form. THE WITNESS: Well, neoplastic transformation and proliferation is clearly seen in obviously if there's a		5 6 7 8 9 10 11 12 13 14	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent manner." Yes, I see that. Q. What did you mean by say by time and dose manner? A. May I see the paper? (Document marked for	
8 9 10 11 12 13 14 15	me any studies showing elevations of any of these processes in women using talc? MS. O'DELL: Object to the form. THE WITNESS: Well, neoplastic transformation and proliferation is clearly seen in obviously if there's a variant answer, you've had		5 6 7 8 9 10 11 12 13 14 15	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent manner." Yes, I see that. Q. What did you mean by say by time and dose manner? A. May I see the paper? (Document marked for identification as Exhibit	
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8 9 10 11 12 13 14 15 16 17	me any studies showing elevations of any of these processes in women using talc? MS. O'DELL: Object to the form. THE WITNESS: Well, neoplastic transformation and proliferation is clearly seen in obviously if there's a variant answer, you've had neoplastic transformation proliferation.		5 6 7 8 9 10 11 12 13 14 15 16 17	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent manner." Yes, I see that. Q. What did you mean by say by time and dose manner? A. May I see the paper? (Document marked for identification as Exhibit Zelikoff-48.) BY MR. HEGARTY:	
8 9 10 11 12 13 14 15 16 17 18	me any studies showing elevations of any of these processes in women using talc? MS. O'DELL: Object to the form. THE WITNESS: Well, neoplastic transformation and proliferation is clearly seen in obviously if there's a variant answer, you've had neoplastic transformation proliferation. BY MR. HEGARTY:		5 6 7 8 9 10 11 12 13 14 15 16 17 18	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent manner." Yes, I see that. Q. What did you mean by say by time and dose manner? A. May I see the paper? (Document marked for identification as Exhibit Zelikoff-48.) BY MR. HEGARTY: Q. Marking as Exhibit 49 48	
8 9 10 11 12 13 14 15 16 17 18 19	me any studies showing elevations of any of these processes in women using talc? MS. O'DELL: Object to the form. THE WITNESS: Well, neoplastic transformation and proliferation is clearly seen in obviously if there's a variant answer, you've had neoplastic transformation proliferation. BY MR. HEGARTY: Q. Well, my question is		5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent manner." Yes, I see that. Q. What did you mean by say by time and dose manner? A. May I see the paper? (Document marked for identification as Exhibit Zelikoff-48.) BY MR. HEGARTY: Q. Marking as Exhibit 49 48 that paper.	
8 9 10 11 12 13 14 15 16 17 18 19 20	me any studies showing elevations of any of these processes in women using talc? MS. O'DELL: Object to the form. THE WITNESS: Well, neoplastic transformation and proliferation is clearly seen in obviously if there's a variant answer, you've had neoplastic transformation proliferation. BY MR. HEGARTY: Q. Well, my question is specific to women using talc prediagnosis		5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent manner." Yes, I see that. Q. What did you mean by say by time and dose manner? A. May I see the paper? (Document marked for identification as Exhibit Zelikoff-48.) BY MR. HEGARTY: Q. Marking as Exhibit 49 48 that paper. A. Thank you.	
8 9 10 11 12 13 14 15 16 17 18 19 20 21	me any studies showing elevations of any of these processes in women using talc? MS. O'DELL: Object to the form. THE WITNESS: Well, neoplastic transformation and proliferation is clearly seen in obviously if there's a variant answer, you've had neoplastic transformation proliferation. BY MR. HEGARTY: Q. Well, my question is specific to women using talc prediagnosis of ovarian cancer.		5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent manner." Yes, I see that. Q. What did you mean by say by time and dose manner? A. May I see the paper? (Document marked for identification as Exhibit Zelikoff-48.) BY MR. HEGARTY: Q. Marking as Exhibit 49 48 that paper. A. Thank you. MR. TISI: We are at seven	
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	me any studies showing elevations of any of these processes in women using talc? MS. O'DELL: Object to the form. THE WITNESS: Well, neoplastic transformation and proliferation is clearly seen in obviously if there's a variant answer, you've had neoplastic transformation proliferation. BY MR. HEGARTY: Q. Well, my question is specific to women using talc prediagnosis of ovarian cancer. A. I see. No, sir.		5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent manner." Yes, I see that. Q. What did you mean by say by time and dose manner? A. May I see the paper? (Document marked for identification as Exhibit Zelikoff-48.) BY MR. HEGARTY: Q. Marking as Exhibit 49 48 that paper. A. Thank you. MR. TISI: We are at seven hours by the way.	
8 9 10 11 12 13 14 15 16 17 18 19 20 21	me any studies showing elevations of any of these processes in women using talc? MS. O'DELL: Object to the form. THE WITNESS: Well, neoplastic transformation and proliferation is clearly seen in obviously if there's a variant answer, you've had neoplastic transformation proliferation. BY MR. HEGARTY: Q. Well, my question is specific to women using talc prediagnosis of ovarian cancer.		5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	vitro exposure concentrations caused increased expression of transcription factors associated with the inflammatory process in a time and dose dependent manner." Yes, I see that. Q. What did you mean by say by time and dose manner? A. May I see the paper? (Document marked for identification as Exhibit Zelikoff-48.) BY MR. HEGARTY: Q. Marking as Exhibit 49 48 that paper. A. Thank you. MR. TISI: We are at seven	

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		Page 482			Page 484
1	MR. TISI: Yes, we are.		1	want to let her answer or not.	
2	MS. O'DELL: We're at seven		2	It's simply up to you. If you say	
3	hours, Mark.		3	we're done, then I will I'm not	
4	MR. HEGARTY: Okay. Are you		4	going to dispute it.	
5	going to instruct her not to		5	MS. O'DELL: We are I	
6	answer that question?		6	will let you answer that question.	
7	MS. O'DELL: Well, the		7	But after that, we're we're	
8	federal rules limit this		8	done.	
9	deposition to seven hours and		9	MR. HEGARTY: Okay. Thank	
10	MR. HEGARTY: No, I		10	you.	
11	understand, but I also remember a		11	MS. O'DELL: Do you recall	
12	deposition where I think I let		12	the question, Dr. Zelikoff?	
13	Chris go over about two or		13	THE WITNESS: Yes. The	
14	three minutes.		14	question is what I'll repeat	
15	MR. TISI: Yeah, but you are		15	it from here.	
16	using a whole new exhibit.		16	What did I mean by a time	
17	MS. O'DELL: You just marked		17	and dose dependent manner?	
18	it		18	BY MR. HEGARTY:	
19	MR. HEGARTY: I just want to		19	Q. Yes.	
20	make sure that was		20	A. In the Shukla study?	
21	MR. TISI: Are you going to		21	Q. Correct.	
22	suggest		22	A. Well, if we look at Figure 2	
23	MR. HEGARTY: No, I just		23	concerning cell viability in the Shukla	
24	want to know if that if you		24	paper, Page 117.	
		D 402			D 405
		Page 483			Page 485
1	want to end the deposition for me		1	So we can see, I'm trying to	
2	right here?		2	find the exact one that I want to refer	
3	MR. TISI: That was a fact		3	to. Figure A, one can see that in terms	
4	witness, as you know.		4	of the concentration and over time, that	
5	I leave it to Leigh. If		5	the number total number of viable	
6	we're going to if we're going		6	cells were altered. And in Figure 2, 15	
7	to have this rule, we need to kind		7	and 75 no, scratch Figure 2, sorry.	
8	of be consistent with it.		8	So on Page 118, in looking	
9	MR. HEGARTY: No, I'm not		9	at number of genes that were	
10	looking to apply another rule.		10	significantly changed, we can see looking	
11	Just tell me whether you'll let		11	at the concentration and this is for	
12	her answer the question or if the		12	asbestos there was a change in effect	
13	time because the time is up,		13	in asbestos. If one looks at I think	
14	that question will not be		14	that's it. That's what I meant.	
	•				
15	answered.		15	MR. HEGARTY: Okay. Thank	
16	answered. MS. O'DELL: The time the		15 16	you.	
16 17	answered. MS. O'DELL: The time the time is up. What is your what		15 16 17	you. MS. O'DELL: Off the record.	
16 17 18	answered. MS. O'DELL: The time the time is up. What is your what was your question?		15 16 17 18	you. MS. O'DELL: Off the record. THE VIDEOGRAPHER: The time	
16 17 18 19	answered. MS. O'DELL: The time the time is up. What is your what was your question? MR. HEGARTY: My question		15 16 17 18 19	you. MS. O'DELL: Off the record. THE VIDEOGRAPHER: The time is 7:07 p.m. Off the record.	
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	· .	Page 486			Page 488
1	EXAMINATION		1	A. I relied on his report, yes.	- 1.61
2			2	Q. And did Dr. Crowley conclude	
3	BY MS. O'DELL:		3	that the chemicals involved in the	
4	Q. Dr. Zelikoff, I have a few		4	fragrances for both Johnson & Johnson's	
5	follow-up questions for you.		5	Baby Powder and Shower to Shower may	
6	Prior to your involvement in		6	contribute to the inflammatory response,	- 1
7	litigation, this litigation, did you hold		7	toxicity and potential carcinogenicity of	- 1
8	the opinion that inflammation causes		8	Johnson & Johnson's talcum powder	- 1
9	cancer?		9	products?	- 1
10	MR. HEGARTY: Objection to		10	MR. HEGARTY: Objection to	- 1
11	form.		11	form.	- 1
12	THE WITNESS: Yes. I held		12	THE WITNESS: Yes. I concur	- 1
13	the opinion for a very long time		13	with that whole opinion.	- 1
14	that inflammation causes cancer.		14	BY MS. O'DELL:	
15	BY MS. O'DELL:		15	Q. And in fact, that's the	
16	Q. And in terms of your		16	specific opinion he included in his	
17	knowledge and opinion prior to your		17	report that you relied on?	
18	involvement in the litigation, did you		18	A. Yes, that's correct.	
19	did you have an opinion regarding the		19	MR. HEGARTY: Objection to	- 1
20	role of oxidative stress in the		20	form.	- 1
21	development of cancer?		21	BY MS. O'DELL:	- 1
22	A. Yes, I did. My opinion was		22	Q. And so if another expert was	- 1
23	that oxidative stress was closely		23	also relying on Dr. Crowley's analysis,	- 1
24	involved with the causation of cancer.		24	it wouldn't be surprising that the same	- 1
24	involved with the causation of cancer.		4	it wouldn't be surprising that the same	
	F	Page 487			Page 489
1	Q. So to the degree that your	Page 487	1	wording was used?	Page 489
1 2		Page 487	1 2	wording was used? MR. HEGARTY: Objection to	Page 489
	Q. So to the degree that your	Page 487			Page 489
2	Q. So to the degree that your work in this case addressed new considerations, were those considerations	Page 487	2	MR. HEGARTY: Objection to	Page 489
2 3	Q. So to the degree that your work in this case addressed new	Page 487	2 3	MR. HEGARTY: Objection to form.	Page 489
2 3 4	Q. So to the degree that your work in this case addressed new considerations, were those considerations primarily focused on talc and its ability	Page 487	2 3 4	MR. HEGARTY: Objection to form. THE WITNESS: Absolutely	Page 489
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2 3 4 5 6	Q. So to the degree that your work in this case addressed new considerations, were those considerations primarily focused on talc and its ability to cause inflammation and oxidative stress?	Page 487	2 3 4 5 6	MR. HEGARTY: Objection to form. THE WITNESS: Absolutely not. BY MS. O'DELL:	Page 489
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	•	Page 490			Page 492
1	about whether you were an expert in areas	Tuge 190	1	A. My numerous publications in	1 uge 1,52
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	such as talc and inflammation?		2	that area of metal toxicology that I've	
2 3	A. Yes.		3	been doing for many, many, many years.	
4	Q. And I think if you recall		4	Q. And in addition to your	
5	the response you answered you were not		5	training, experience, do you also make	
6	classified as an expert. What did you		6	those statements based on your review of	
7	mean by that?		7	the available scientific and medical	
8	MR. HEGARTY: Objection to		8	literature?	
9	form.		9	A. In regards to metals?	
10	THE WITNESS: What I meant		10	Q. In all the environmental	
11	was in terms of legal, whether		11	exposures we've just discussed?	
12	one of the questions that arose		12	A. Yes. I rely on	
13	was, in the past, have I been		13	literature	
14	listed as an expert in other		14	Q. You were asked questions	
15	cases. And so I followed that		15	A as well as my own	
16	line of thought and thought that		16	scientific research.	
17	we were still talking about		17	Q. Excuse me. I didn't mean to	
18	litigation and formal declaration		18	cut you off, Doctor.	
19	as an expert in that area.		19	You were asked questions	
20	BY MS. O'DELL:		20	about whether there were any studies or	
21	Q. Are you an expert in the		21	evidence that you relied on involving	
22	toxicological effects of minerals on		22	Johnson's Baby Powder.	
23	the on humans?		23	Do you recall that?	
24	MR. HEGARTY: Objection to		24	A. I do recall that question,	
				, , , , , , , , , , , , , , , , , , , ,	
		Page 491			Page 493
1	form.	Page 491	1	yes.	Page 493
2	THE WITNESS: I'm expert in	Page 491	2	Q. And do the strike that	Page 493
2 3	THE WITNESS: I'm expert in toxicology of environmental	Page 491		Q. And do the strike that and start again.	Page 493
2 3 4	THE WITNESS: I'm expert in toxicology of environmental chemicals, including mixtures,	Page 491	2 3 4	Q. And do the strike that and start again. Did Dr. Saed in the testing	Page 493
2 3 4 5	THE WITNESS: I'm expert in toxicology of environmental chemicals, including mixtures, including fibers, including	Page 491	2 3	Q. And do the strike that and start again. Did Dr. Saed in the testing that was done and reported in not only	Page 493
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2 3 4 5 6 7	THE WITNESS: I'm expert in toxicology of environmental chemicals, including mixtures, including fibers, including particles, including talc. BY MS. O'DELL:	Page 491	2 3 4 5 6 7	Q. And do the strike that and start again. Did Dr. Saed in the testing that was done and reported in not only the abstracts but also his manuscript, involve Johnson's Baby Powder?	Page 493
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	Page 494			Page 496
1	products?	1	go.	-
2	A. Yes, it did.	2	BY MS. O'DELL:	
3	Q. Was evidence that you relied	3	Q. Did the FDA conclude in	
4	on in the form of Pier Exhibit 47, did	4	Exhibit 37 that well, let me just ask	
5	those also involve talc that was taken	5	the question this way.	
6	from sources used to supply Johnson's	6	If you'll turn to Page 2 of	
7	talcum powder products?	7	Exhibit 37, what was the FDA's conclusion	
8	MR. SILVER: Objection to	8	regarding the testing that they had	
9	form.	9	performed on the cosmetic powders?	
10	MR. HEGARTY: Objection to	10	Doctor, I'll direct you to	
11	form.	11	the second-to-the-last paragraph at the	
12	THE WITNESS: Dr. Pier?	12	bottom of the page, the middle sentence.	
13	BY MS. O'DELL:	13	Do you see that, "Beginning for these	
14	Q. Yes.	14	reasons"?	
15	A. To my recollection, yes. If	15	A. Yes, I see that.	
16	you'd like, I can look at the paper and	16	Q. And what was the FDA's	
17	confirm that.	17	conclusion?	
18	Q. Let me ask you about	18	A. "For these reasons, while	
19	Dr. Blount. You were asked previously	19	FDA finds these results informative, they	
20	about her publication in 1991.	20	do not prove that most or all talc or	
21	Did Dr. Blount test	21	talc-containing cosmetic products that	
22	Johnson's Baby Powder?	22	are currently or currently marketed in	
23	A. Yes. But again, if I looked	23	the United States are likely to be free	
24	at the reference I could give you I	24	of asbestos contamination."	
	Page 495			Page 497
1			O You were also asked a number	Page 497
1 2	could give you specifics.	1	Q. You were also asked a number of questions regarding the FDA response	Page 497
2	could give you specifics. Q. Okay. And do you recall	1 2	of questions regarding the FDA response	Page 497
2 3	could give you specifics. Q. Okay. And do you recall that that did let me just ask it	1 2 3	of questions regarding the FDA response to Dr. Epstein's letter in April of 2014,	Page 497
2 3 4	could give you specifics. Q. Okay. And do you recall that that did let me just ask it this way.	1 2 3 4	of questions regarding the FDA response to Dr. Epstein's letter in April of 2014, Exhibit 33.	Page 497
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	· Pr	age 498			Page 500
1	currently marketed in the U.S. are free		1	causing ovarian cancer?	
2	of asbestos contamination?		2	MR. HEGARTY: Objection to	
3	MR. HEGARTY: Objection to		3	form.	
4	form.		4	THE WITNESS: They are	
5	THE WITNESS: Yes. I can		5	consistent with my opinion, yes.	
6	read the sentence, "While FDA		6	BY MS. O'DELL:	
7	found this data informative, the		7	Q. Let me ask you if you would,	
8	results were limited by the fact		8	Doctor, to I'll do it for you.	
9	that only four suppliers submitted		9	Because it was marked here.	
10	samples and the number of products		10	I'm going to hand to you the	
11	used. They do not prove that all		11	Health Canada draft screening assessment	
12	talc containing cosmetic products		12	that was marked previously as Exhibit 9.	
13	currently marketed in the United		13	A. I see it.	
14	States are free of asbestos		14	Q. And let me ask you if you	
15	contamination."		15	would please, Doctor, first, did you	
16	BY MS. O'DELL:		16	submit your report in this case prior to	
17	Q. Okay. While we are on this		17	Health Canada issuing the draft causal	
18	Exhibit 33, Doctor, if you'll turn to		18	assessment?	
19	Page 5 of the exhibit. About two-thirds		19	A. I submitted my my final	
20	of the way down, the paragraph beginning, "While."		20	report November 15th or 16th. I'm not	
21 22			21 22	quite clear on the date. And received this or saw it for the first time in	
23	A. "While there exists no direct proof"?		23		
24	Q. Yes. And would you mind		23 24	January. So it did not go into my it was not cited in my report and was not	
24	Q. 1es. And would you mind		24	was not cited in my report and was not	
	Pa	age 499			Page 501
1	reading, you know, the the those	age 499	1	reviewed for my report.	Page 501
2	reading, you know, the the those first two sentences of that paragraph,	age 499	2	Q. And by virtue of the fact	Page 501
2 3	reading, you know, the the those first two sentences of that paragraph, please?	age 499		Q. And by virtue of the fact that came out after your report, did	Page 501
2 3 4	reading, you know, the the those first two sentences of that paragraph, please? A. "While there exists no	age 499	2 3 4	Q. And by virtue of the fact that came out after your report, did did the health strike that and start	Page 501
2 3 4 5	reading, you know, the the those first two sentences of that paragraph, please? A. "While there exists no direct proof of talc and ovarian	age 499	2 3 4 5	Q. And by virtue of the fact that came out after your report, did did the health strike that and start again.	Page 501
2 3 4 5 6	reading, you know, the the those first two sentences of that paragraph, please? A. "While there exists no direct proof of talc and ovarian carcinogenesis, the potential for	age 499	2 3 4 5 6	Q. And by virtue of the fact that came out after your report, did did the health strike that and start again. Did the Health Canada	Page 501
2 3 4 5 6 7	reading, you know, the the those first two sentences of that paragraph, please? A. "While there exists no direct proof of talc and ovarian carcinogenesis, the potential for particulates to migrate from the	age 499	2 3 4 5 6 7	Q. And by virtue of the fact that came out after your report, did did the health strike that and start again. Did the Health Canada assessment inform your opinions in this	Page 501
2 3 4 5 6 7 8	reading, you know, the the those first two sentences of that paragraph, please? A. "While there exists no direct proof of talc and ovarian carcinogenesis, the potential for particulates to migrate from the peritoneum" "the perineum and vagina"	age 499	2 3 4 5 6 7 8	Q. And by virtue of the fact that came out after your report, did did the health strike that and start again. Did the Health Canada assessment inform your opinions in this case?	Page 501
2 3 4 5 6 7 8 9	reading, you know, the the those first two sentences of that paragraph, please? A. "While there exists no direct proof of talc and ovarian carcinogenesis, the potential for particulates to migrate from the peritoneum" "the perineum and vagina to the peritoneal cavity is		2 3 4 5 6 7 8 9	Q. And by virtue of the fact that came out after your report, did did the health strike that and start again. Did the Health Canada assessment inform your opinions in this case? A. It it could not have	Page 501
2 3 4 5 6 7 8 9 10	reading, you know, the the those first two sentences of that paragraph, please? A. "While there exists no direct proof of talc and ovarian carcinogenesis, the potential for particulates to migrate from the peritoneum" "the perineum and vagina to the peritoneal cavity is indisputable."		2 3 4 5 6 7 8 9	Q. And by virtue of the fact that came out after your report, did did the health strike that and start again. Did the Health Canada assessment inform your opinions in this case? A. It it could not have informed my opinion that's written out in	Page 501
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2 3 4 5 6 7 8 9 10 11 12	reading, you know, the the those first two sentences of that paragraph, please? A. "While there exists no direct proof of talc and ovarian carcinogenesis, the potential for particulates to migrate from the peritoneum" "the perineum and vagina to the peritoneal cavity is indisputable." Q. And then if you'll read the next sentence?		2 3 4 5 6 7 8 9 10 11	Q. And by virtue of the fact that came out after your report, did did the health strike that and start again. Did the Health Canada assessment inform your opinions in this case? A. It it could not have informed my opinion that's written out in the report. It was compelling evidence that helped support the opinion that I	Page 501
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		D 502			D 504
1	0 4 11 12 41	Page 502	1	1	Page 504
	Q. And looking at the literature that is cited in this section,		1 2	mechanism for the cause of cancer?	
2 3	did you cite in support of your opinions		3	MR. HEGARTY: Objection to form.	
4	Keskin 2009?		4	THE WITNESS: Biological	
5	A. Keskin 2009, yes.		5	plausibility.	
6	Q. And did you of course we		6	BY MS. O'DELL:	
7	talked about it before. You cited		7	Q. They let me ask a better	
8	Penninkilampi 2018?		8	question. Did they did they discuss	
9	A. Yes, I did.		9	chronic inflammation, inflammation as a	
10	Q. And did you cite other		10	biologically plausible mechanism for the	
11	references included in the mode of action		11	development of ovarian cancer?	
12	discussion that was undertaken by Health		12	A. Yes, they did.	
13	Canada on Pages 18, 19 and, you know, 20		13	Q. Did they discuss the role of	
14	of the Health Canada assessment?		14	reactive oxygen species as part of the	
15	A. Yes, I did. Do you want me		15	biologically plausible mechanism of talc	
16	to tell you which ones?		16	in the development of ovarian cancer?	
17	Q. Just give us a few. Just		17	MR. HEGARTY: Objection to	
18	give us a few.		18	form.	
19	A. Henderson 1971. These are		19	THE WITNESS: Oxidative	
20	the ones that come to mind readily.		20	stress, yes. Yeah. React ROS.	
21	Edelstam 1997. Egli and Newton 1961. De		21	Oxidative stress.	
22	Boer in 1972. Venter and Iturralde,		22	May I give the statement?	
23	1979. Heller 1996. Cramer in 2007.		23	BY MS. O'DELL:	
24	Would you like me to go on?		24	Q. Yes.	
	, ,				
		Page 503			Page 505
1	Q. So it's fair to say that		1	A. With respect to talc,	
2	many of the references that you read,		2	specifically local chronic irritation	
3	reviewed, relied on in your report are		3	leading to inflammatory response is one	
4	some of the same studies that Health		4	possible mechanism of tumor progression	
5	Canada relied on in their causal		5	that is frequently hypothesized.	
6	assessment?		6	Q. And that's consistent with	
7	MR. HEGARTY: Objection to		7	your with your opinion in this case?	
8	form.		8	MR. HEGARTY: Objection to	
9	THE WITNESS: Yes. This was		9	form.	
10	very validating for my my		10	THE WITNESS: Yes.	
11					
	report in my opinion.		11	BY MS. O'DELL:	
12	BY MS. O'DELL:		12	Q. Is that consistent with your	
12 13	BY MS. O'DELL: Q. Were you aware of the of		12 13	Q. Is that consistent with your opinion in this case?	
12 13 14	BY MS. O'DELL: Q. Were you aware of the of the assessment prior to it being issued		12 13 14	Q. Is that consistent with your opinion in this case? A. Yes, it is.	
12 13 14 15	BY MS. O'DELL: Q. Were you aware of the of the assessment prior to it being issued to the public?		12 13 14 15	Q. Is that consistent with your opinion in this case?A. Yes, it is.Q. Did they discuss migration	
12 13 14 15 16	BY MS. O'DELL: Q. Were you aware of the of the assessment prior to it being issued to the public? A. Not at all. It was it		12 13 14 15 16	Q. Is that consistent with your opinion in this case?A. Yes, it is.Q. Did they discuss migration as part of the biologically plausible	
12 13 14 15 16 17	BY MS. O'DELL: Q. Were you aware of the of the assessment prior to it being issued to the public? A. Not at all. It was it came out in late 2018, in December.		12 13 14 15 16 17	Q. Is that consistent with your opinion in this case? A. Yes, it is. Q. Did they discuss migration as part of the biologically plausible mechanism for the connection between	
12 13 14 15 16 17 18	BY MS. O'DELL: Q. Were you aware of the of the assessment prior to it being issued to the public? A. Not at all. It was it came out in late 2018, in December. Q. In the assessment that was		12 13 14 15 16 17 18	Q. Is that consistent with your opinion in this case? A. Yes, it is. Q. Did they discuss migration as part of the biologically plausible mechanism for the connection between perineal use of talc and development of	
12 13 14 15 16 17 18 19	BY MS. O'DELL: Q. Were you aware of the of the assessment prior to it being issued to the public? A. Not at all. It was it came out in late 2018, in December. Q. In the assessment that was undertaken by Health Canada, did they		12 13 14 15 16 17 18 19	Q. Is that consistent with your opinion in this case? A. Yes, it is. Q. Did they discuss migration as part of the biologically plausible mechanism for the connection between perineal use of talc and development of ovarian cancer?	
12 13 14 15 16 17 18 19 20	BY MS. O'DELL: Q. Were you aware of the of the assessment prior to it being issued to the public? A. Not at all. It was it came out in late 2018, in December. Q. In the assessment that was undertaken by Health Canada, did they assign any numerical weights in the		12 13 14 15 16 17 18 19 20	Q. Is that consistent with your opinion in this case? A. Yes, it is. Q. Did they discuss migration as part of the biologically plausible mechanism for the connection between perineal use of talc and development of ovarian cancer? A. Yes, they did.	
12 13 14 15 16 17 18 19 20 21	BY MS. O'DELL: Q. Were you aware of the of the assessment prior to it being issued to the public? A. Not at all. It was it came out in late 2018, in December. Q. In the assessment that was undertaken by Health Canada, did they assign any numerical weights in the causal assessment to certain studies?		12 13 14 15 16 17 18 19 20 21	Q. Is that consistent with your opinion in this case? A. Yes, it is. Q. Did they discuss migration as part of the biologically plausible mechanism for the connection between perineal use of talc and development of ovarian cancer? A. Yes, they did. Q. Okay. Did they, on Page 15	
12 13 14 15 16 17 18 19 20 21 22	BY MS. O'DELL: Q. Were you aware of the of the assessment prior to it being issued to the public? A. Not at all. It was it came out in late 2018, in December. Q. In the assessment that was undertaken by Health Canada, did they assign any numerical weights in the causal assessment to certain studies? A. No, they do not.		12 13 14 15 16 17 18 19 20 21 22	Q. Is that consistent with your opinion in this case? A. Yes, it is. Q. Did they discuss migration as part of the biologically plausible mechanism for the connection between perineal use of talc and development of ovarian cancer? A. Yes, they did. Q. Okay. Did they, on Page 15 and 16, did they discuss some of the	
12 13 14 15 16 17 18 19 20 21	BY MS. O'DELL: Q. Were you aware of the of the assessment prior to it being issued to the public? A. Not at all. It was it came out in late 2018, in December. Q. In the assessment that was undertaken by Health Canada, did they assign any numerical weights in the causal assessment to certain studies?		12 13 14 15 16 17 18 19 20 21	Q. Is that consistent with your opinion in this case? A. Yes, it is. Q. Did they discuss migration as part of the biologically plausible mechanism for the connection between perineal use of talc and development of ovarian cancer? A. Yes, they did. Q. Okay. Did they, on Page 15	

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	Page 50	6		Page 508
1	case?	$\begin{vmatrix} 1 \end{vmatrix}$	Q. Counsel directed your	1 ugo 300
2	A. Yes, they do.	2	attention to the sentence counsel for	
3	MR. HEGARTY: Objection to	3	Johnson & Johnson direct directed	
4	form.	4	your attention to the sentence near the	
5	THE WITNESS: And	5	bottom of the left column.	
6	BY MS. O'DELL:	6	A. An important finding of this	
7	Q. Excuse me.	7	study is that talc use?	
8	A. They include Hamilton et	8	Q. Yeah, the the potential	
9	al., 1984. Keskin 2009. Hamilton 1984	9	mechanism by which genital talc is	
10	again. Keskin again.	10	associated with an increased risk of	
11	Q. Okay. And if you'll turn to	11	ovarian cancer	
12	Page 21. You'll see at the top of the	12	A. I'm sorry. Again,	
13	page, they have a section on biologic	13	discussion on the left side?	
14	plausibility.	14	Q. Yes. At the bottom of the	
15	A. Yes, they do.	15		
16		16	first paragraph, the last sentence.	
17	Q. Is is their discussion of	17	A. Okay. I'm sorry. "Potential mechanism by which general	
18	biological plausibility as outlined on	18	talc associated with an increased risk of	
19	Page 21 consistent with your opinions in this case?	19	ovarian cancer hence remains unclear."	
20		20		
20	MR. HEGARTY: Objection to form.	20	Q. And Johnson & Johnson's counsel asked you about that sentence.	
22		22	· · · · · · · · · · · · · · · · · · ·	
23	THE WITNESS: Definitely consistent. Particles of talc are	23	A. Yes, they did.	
23		23	Q. But they didn't ask you about other sentences in this this	
24	hypothesized to migrate into the	24	about other sentences in this this	
	Page 50	7		Page 509
1		7 1	paper, fair?	Page 509
1 2	Page 50 pelvis and ovarian tissue causing irritation and inflammation. And		paper, fair? A. That's fair.	Page 509
	pelvis and ovarian tissue causing irritation and inflammation. And	1	A. That's fair.	Page 509
2	pelvis and ovarian tissue causing irritation and inflammation. And the presence of talc in the	1 2	A. That's fair.Q. So if you'll look to the	Page 509
2 3	pelvis and ovarian tissue causing irritation and inflammation. And	1 2 3	A. That's fair. Q. So if you'll look to the right column on Page 45. Do you see the	Page 509
2 3 4	pelvis and ovarian tissue causing irritation and inflammation. And the presence of talc in the ovaries as I discussed previously	1 2 3 4	A. That's fair.Q. So if you'll look to the	Page 509
2 3 4 5	pelvis and ovarian tissue causing irritation and inflammation. And the presence of talc in the ovaries as I discussed previously has been documented by Heller in	1 2 3 4 5	A. That's fair. Q. So if you'll look to the right column on Page 45. Do you see the sentence beginning "if chronic	Page 509
2 3 4 5 6	pelvis and ovarian tissue causing irritation and inflammation. And the presence of talc in the ovaries as I discussed previously has been documented by Heller in 1996.	1 2 3 4 5 6	A. That's fair. Q. So if you'll look to the right column on Page 45. Do you see the sentence beginning "if chronic inflammation"?	Page 509
2 3 4 5 6 7	pelvis and ovarian tissue causing irritation and inflammation. And the presence of talc in the ovaries as I discussed previously has been documented by Heller in 1996. BY MS. O'DELL:	1 2 3 4 5 6 7	A. That's fair. Q. So if you'll look to the right column on Page 45. Do you see the sentence beginning "if chronic inflammation"? A. I do. "If chronic	Page 509
2 3 4 5 6 7 8	pelvis and ovarian tissue causing irritation and inflammation. And the presence of talc in the ovaries as I discussed previously has been documented by Heller in 1996. BY MS. O'DELL: Q. Great. Thank you.	1 2 3 4 5 6 7 8	A. That's fair. Q. So if you'll look to the right column on Page 45. Do you see the sentence beginning "if chronic inflammation"? A. I do. "If chronic inflammation due to ascending foreign	Page 509
2 3 4 5 6 7 8 9	pelvis and ovarian tissue causing irritation and inflammation. And the presence of talc in the ovaries as I discussed previously has been documented by Heller in 1996. BY MS. O'DELL: Q. Great. Thank you. Doctor, you were also asked	1 2 3 4 5 6 7 8 9	A. That's fair. Q. So if you'll look to the right column on Page 45. Do you see the sentence beginning "if chronic inflammation"? A. I do. "If chronic inflammation due to ascending foreign bodies is indeed the mechanism by which	Page 509
2 3 4 5 6 7 8 9 10	pelvis and ovarian tissue causing irritation and inflammation. And the presence of talc in the ovaries as I discussed previously has been documented by Heller in 1996. BY MS. O'DELL: Q. Great. Thank you. Doctor, you were also asked some questions about the Penninkilampi paper.	1 2 3 4 5 6 7 8 9	A. That's fair. Q. So if you'll look to the right column on Page 45. Do you see the sentence beginning "if chronic inflammation"? A. I do. "If chronic inflammation due to ascending foreign bodies is indeed the mechanism by which talc use is associated with increased ovarian cancer risks, then the results	Page 509
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	Page	10		Page 512
1	asbestos and the specific amount of	1	deposition of Robert Glenn in your	1 ugo 312
2	asbestos that would be introduced with	2		
3	the perineal application of of talc.	3		
4	A. Yes	2	J. 1	
5	Q. And let me ask you	5		
6	A I recall.	i		
7	Q. You recall those questions?		•	
8	A. Yes, I do.	8	•	
9	Q. Is there any safe level of		——————————————————————————————————————	
10	asbestos	10	•	
11	MR. HEGARTY: Objection to	1		
12	form.	12		
13	BY MS. O'DELL:	13		
14	Q in the perineum?	14	*	
15	A. My opinion and conclusion is	1:		
16	no.	10		
17	Q. Is asbestos a known potent	1'	•	
18	carcinogen?	18		
19	A. It is. According	19	*	
20	Q. Excuse me. Please go ahead.	20	• •	
21	A. According to the regulators	2	•	
22	and the documents, it is, yes, a known	22		
23	carcinogen, and it's extremely potent.	$\frac{2}{2}$	1 ,	
24	If you look at the effects that it causes	2	U J 1	
	if you look at the effects that it eauses		mereased rang disease and that he	
	Page	11		Page 513
1	Page and at the dose levels that it causes	11 1	suspected that it would also have a	Page 513
1 2			-	Page 513
	and at the dose levels that it causes	1	similar mechanism of disease in other	Page 513
2	and at the dose levels that it causes these effects.	1 2	similar mechanism of disease in other tissues and organs."	Page 513
2 3	and at the dose levels that it causes these effects. Q. And of course IARC has	1 2 3	similar mechanism of disease in other tissues and organs." Q. And you were asked a number	Page 513
2 3 4	and at the dose levels that it causes these effects. Q. And of course IARC has A. IARC has classified it as a Class 1A.	1 2 3 2	similar mechanism of disease in other tissues and organs." Q. And you were asked a number of questions about the different	Page 513
2 3 4 5	and at the dose levels that it causes these effects. Q. And of course IARC has A. IARC has classified it as a Class 1A. Q. And did you review and rely	1 2 3 4 5	similar mechanism of disease in other tissues and organs." Q. And you were asked a number of questions about the different constituents of talcum powder products.	Page 513
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	·	514			Page 516
1	chair but he is the director of the		1	form.	
2	cancer center for NYU Langone Health and		2	THE WITNESS: Could you	
3	NYU Medical School. It morphs into		3	clarify that question?	
4	different names.		4	BY MS. O'DELL:	
5	Q. And in regard to the		5	Q. Yeah. It was a bad	
6	toxicity of talcum powder products and		6	question. I'm sorry. I'm getting tired.	
7	its effects, toxicological effects,		7	A. If you're asking would	
8	would would you be more knowledgeable		8	you like to ask rephrase it, or should	
9	about those particular effects than a		9	I give you my thought of what you were	
10	clinician who diagnoses and treats		10	trying to ask?	
11	ovarian cancer?		11	Q. Well, why don't you	
12	MR. HEGARTY: Objection to		12	interpret my question, and I'll follow	
13	form.		13	up.	
14	BY MS. O'DELL:		14	A. If you're asking me if	
15	Q. Like Dr. Neel?		15	nickel was a component of the non-fibrous	
16	A. I'm a toxicologist, and so		16	talc, then was nickel also in place when	
17	my main area of focus and understanding		17	it was treated, when the cells were	
18	and literature has to do with toxicology,		18	treated?	
19	toxicological mechanisms, toxicological		19	Q. That's correct.	
20	effects.		20	A. Yes, if nickel was in the	
21	Q. So		21	non-fibrous talc then, yes, it was also	
22	A. So my knowledge base in		22	there when the cells were being exposed.	
23	those areas would I would suspect very		23	Q. And so and that would be	
24	strongly would exceed that of Dr. Neel's,		24	true of chromium and cobalt?	
	Page	515			Page 517
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1 2	who is a clinician.	515	1 2	A. Yes. O. And so, the results from the	Page 517
2	who is a clinician. Q. You were asked some	515	2	Q. And so, the results from the	Page 517
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1	4h aga gwagtinga	1 age 516	1	IDD.	1 age 320
$\frac{1}{2}$	those questions.		1	IRBs.	
2	Q. Would it be possible to		2	Q. Okay. You looked at, as I	
3	design a study in humans where nickel was		3	understand it, for your purposes of your	
4	deposited at their ovary to see if a		4	task in this case, you looked at the	
5	female would develop ovarian cancer?		5	issue of biologic plausibility for	
6	A. I think I answered and said		6	perineal talc use and ovarian cancer.	
7	that would be ridiculous in the sense		7	A. Yes, I did.	
8	that this would be totally unethical to		8	Q. Did you did you was	
9	take a known carcinogen or a classified		9	that inquiry focused on epithelial	
10	1A carcinogen and use it for experimental		10	ovarian cancer in particular?	
11	studies in humans by placing it in the		11	A. It it was most, if not	
12	perineal or anywhere within the body		12	all the studies I looked at in animals	
13	intentionally.		13	and were associated with epithelial	
14	Q. And would that also be true		14	ovarian cancer.	
15	for similar reasons for cobalt and		15	Some studies in humans did	
16	chromium?		16	look did break out the differences.	
17	A. Yes.		17	Q. Let me ask you if you	
18	Q. Would the same also be true		18	wouldn't mind, to turn to Page 8 of your	
19	of designing a study that applied		19	report. And you'll look at the top of	
20	asbestos to a female's ovary for purposes		20	the page. In the first full paragraph,	
21	of seeing if she developed cancer?		21	middle of the that paragraph discusses	
22	A. I'm smiling because it holds		22	Dr. Longo and Rigler's recent report that	
23	true for any any known or suspected		23	reports that talcum powder products	
24	carcinogen cannot be used intentionally		24	manufactured by Johnson's Baby Powder and	
		Page 519			Page 521
1	on a human being for testing. It's	Page 519	1	Shower to Shower have contained and	Page 521
1 2	on a human being for testing. It's unethical, and would probably in all	Page 519		Shower to Shower have contained and continue to contain asbestos. Do you see	Page 521
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Page 522	Daga 524
Page 522	Page 524
1 the completion of your own report? 1 that Ms. O'Dell asked yo	
2 A. I had it available prior to 2 First of all, you was a share sign of any final report was	
3 the submission of my final report, yes. 3 referred to Page 12 of yo	
4 The only thing I did not 4 under under Section C	
5 have was the December 2018 supplement. 5 Would you go to that por	ction of your
6 Q. His most recent supplement? 6 report please?	. Vas
7 A. His most recent supplement, 7 A. I will, thank you	u. res.
8 yes. 8 I'm here.	d about this
9 Q. I think just to be clear, 9 Q. You were asked	
10 that was his most recent supplemental 10 part of your report being	
11 report you're referring to, was that the 11 the same part of Smith-B	
12 report dated in January, I think 16th or 12 Do you recall being aske	d those
13 15th of this month? 13 questions?	
14 A. It was sometime in January. 14 MS. O'DELL: O	Diject to the
15 Q. Okay. 15 form.	· Smith
16 A. Yes. I could answer that 16 THE WITNESS	
17 question specifically if I saw the 17 Smith-Bindman repo	•
18 exhibit. 18 I don't recall oh, in	
19 Q. And I've handed you what's 19 beginning of the dep	oosition?
20 been marked I think as Exhibit 20 BY MR. HEGARTY:	
21 A. 3. 21 Q. Yes.	1
22 Q. 3. And is Exhibit 3 the 22 A. Okay. That wa	s a long time
23 supplemental report 23 ago.	
24 A. Yes, it is. 24 Q. First of all, are	you aware
Page 523	Page 525
1 Q that you reviewed 1 that Dr. Crowley has bee	n deposed in this
2 recently? 2 litigation?	
3 A. I'm sorry, yes. 3 A. Yes.	
4 Q. And what's the date on the 4 Q. Did you read hi	is deposition?
5 report? 5 A. I did.	
6 A. January 15, 2019. 6 Q. When did you r	read his
7 MS. O'DELL: Okay. I have 7 deposition?	
8 nothing further, Doctor. Thank 8 A. I'm sorry, I don	't recall
9 you. 9 the exact date.	I
10 MR. HEGARTY: Take a break. 10 May I see Dr. Cr	rowley's
11 I need to use the restroom. 11 deposition?	
12 THE VIDEOGRAPHER: The time 12 Q. Well, I just ask	
is 8:10 p.m. Going off the 13 you had read it. That's m	ny only
14 record. 14 question.	I
15 (Short break.) 15 Other than Dr. C	•
THE VIDEOGRAPHER: We are 16 deposition, have you read	
back on the record. The time is 17 of any other plaintiffs' ex	
18 8:16 p.m. 18 in the MDL, this litigation	
19 19 A. Any of the other	er plaintiffs'
20 EXAMINATION 20 depositions?	1
21 21 Q. Correct.	1
22 BY MR. HEGARTY: 22 A. Dr. Dydek.	
23 Q. Dr. Zelikoff, I have some 23 Q. Anybody else?	
24 questions in follow-up to the questions 24 A. I'm looking to s	

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	Page 52	5		Page 528
1	others.		O Page 12	1 age 326
$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	Q. It's at the end of Exhibit	$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	Q. Page 12.A. "There are more than 150	
3	B.	3	different chemicals"?	
4	A. Okay. Thank you. Thank	4	Q. Those four sentences, or	
5	you.	5	three or strike that.	
6	Q. Well, my question let me	6	The second sentence in that	
7	ask a different question. Let me ask	7	section is not in Dr. Crowley's report.	
8	whether you have reviewed the MDL	8	He did not write, "I reviewed the expert	
9	depositions; that is, the depositions	9	report of Dr. Michael Crowley that	
10	that plaintiffs' experts have taken in	10	concludes that some of these chemicals	
11	this litigation over their expert reports	11	may contribute to the inflammatory	
12	besides Dr. Crowley?	12	response, toxicity, and potential	
13	MS. O'DELL: Object to form.	13	toxicity of Johnson & Johnson's talcum	
14	THE WITNESS: Dr. Longo.	14	powder products."	
15	Sorry.	15	MS. O'DELL: Objection.	
16	BY MR. HEGARTY:	16	BY MR. HEGARTY:	
17	Q. Dr. Longo has not yet been	17	Q. That sentence is not in	
18	deposed in	18	Dr. Crowley's report?	
19	A. I read his report.	19	MS. O'DELL: Objection.	
20	Q for his MDL report.	20	THE WITNESS: I'm terribly	
21	No, I'm talking about the	21	sorry. I'm going to silence that	
22	deposition	22	or we can and talk over it.	
23	A. I'm sorry.	23	MS. O'DELL: Go ahead and	
24	Q of an expert who has	24	silence it.	
	Q. of all expert who has		Silence it.	
1	Page 52	7		Page 529
1		7 1	(Brief interruption.)	Page 529
2	Page 52 been who is being deposed about their report in the MDL.	1 2	(Brief interruption.) MR. HEGARTY: Let's go off	Page 529
	been who is being deposed about their	1		Page 529
2	been who is being deposed about their report in the MDL.	1 2	MR. HEGARTY: Let's go off	Page 529
2 3	been who is being deposed about their report in the MDL. You said Dr. Crowley. Have	1 2 3	MR. HEGARTY: Let's go off the record.	Page 529
2 3 4 5 6	been who is being deposed about their report in the MDL. You said Dr. Crowley. Have you read anyone else's deposition that	1 2 3 4 5 6	MR. HEGARTY: Let's go off the record. THE VIDEOGRAPHER: The time is 8:21 p.m. Off the record. (Whereupon, a discussion was	Page 529
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	•	Page 530			Page 532
1	carcinogenicity.	1 450 330	1	BY MR. HEGARTY:	1 450 332
2	BY MR. HEGARTY:		2	Q. Doctor, you	
3	Q. The sentence, "I concur with		3	A that included talc.	
4	his opinion," is not in Dr. Crowley's		4	Q. Doctor, you testified	
5	report, is it?		5	earlier in this deposition that your	
6	A. No. That was my opinion.		6	information as it relates to talc and	
7	Q. That same opinion, stated		7	ovarian cancer came from the media and	
8	exactly the same way, is in the		8	discussion with colleagues, correct?	
9	Dr. Smith-Bindman report, correct?		9	A. Prior to being contacted.	
10	A. Can I see that report?		10	Q. Right. So prior to being	
11	Q. Do you recall without		11	contacted for counsel for plaintiffs, you	
12	looking at it, that that same section is		12	had no expertise in talc and ovarian	
13	in her report?		13	cancer, correct?	
14	A. I do not. I do not recall.		14	A. As a toxicologist I'm	
15	Q. Okay. Did you do you		15	sorry. I'm getting hung up on the word	
16	know have you ever spoken to		16	"expert" as you're using it. As a	
17	Dr. Smith-Bindman?		17	toxicologist, I am familiar with talc. I	
18	A. Not at all.		18	am familiar with much of the toxicity of	
19	Q. Do you know who she is?		19	it. But the primary in discussing	
20	A. I don't.		20	talc and its relationship to cancer, it	
21	Q. Do you know her expertise?		21	was through colleagues and the media,	
22	A. I do not.		22	yes, correct.	
23	Q. Have you ever heard her name		23	Q. You had not studied, prior	
24	before today?		24	to being contacted by plaintiffs'	
		Page 531			Page 533
1	A. Not not to my knowledge.	Page 531	1	counsel, any issues reported in the	Page 533
2	A. Not not to my knowledge. But I would like to see to refresh my	Page 531	1 2	counsel, any issues reported in the medical literature with regard to talc	Page 533
		Page 531			Page 533
2	But I would like to see to refresh my	Page 531	2	medical literature with regard to talc	Page 533
2 3	But I would like to see to refresh my memory, if it's available.	Page 531	2 3	medical literature with regard to talc and ovarian cancer, correct?	Page 533
2 3 4 5 6	But I would like to see to refresh my memory, if it's available. Q. You were asked about your expertise as it relates to talc and inflammation. Before you were contacted	Page 531	2 3 4 5 6	medical literature with regard to talc and ovarian cancer, correct? A. I have not studied in my laboratory, that's correct. Q. You also did not review any	Page 533
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		D 524			D 526
1	A 0	Page 534	1	. 1 10	Page 536
$\begin{array}{ c c }\hline 1\\ 2\end{array}$	A. Over my career, I cannot.		1 2	nickel? A. Yes.	
3	Sorry. Q. Can you identify any study		3	Q. What published article have	
4	you have published that investigated or		4	you have you written discussing the	
5	discussed the toxicity of cobalt?		5	toxicity of nickel?	
6	A. I've written review articles		6	A. One that comes to my mind,	
7	on the toxicology of metals in general		7	without looking at my CV, is an early	
8	and cobalt was in there, and in book		8	publication associated with the	
9	chapters.		9	immunology and immunotoxicity of nickel	
10	Q. But it's your testimony that		10	in fish.	
11	you have written review papers where you		11	Q. What nickel was it a	
12	discussed the toxicity of cobalt?		12	nickel compound?	
13	A. I did not say review papers.		13	A. It was a nickel chloride, a	
14	I said book chapters.		14	soluble nickel compound.	
15	Q. So you had written a book		15	Q. Are nickel compounds in	
16	chapter to discuss the toxicity of		16	Johnson's Baby Powder?	
17	cobalt?		17	A. Nickel according to the	
18	MS. O'DELL: Objection to		18	J&J documents and other other internal	
19	form.		19		
20	THE WITNESS: I was an		20	documents, yes.	
21			21	Q. Okay. What nickel compounds	
22	editor of a book, several books		22	are in Johnson's Baby Powder?	
23	two books actually, which looked at the toxicity of cobalt		23	A. The report indicates nickel. It does not break it down to a particular	
24	looked at the toxicity of metals.		24	salt or a particular compound of nickel.	
24	looked at the toxicity of metals.		24	sait of a particular compound of meker.	
		Page 535			Page 537
1	And cobalt, to my recollection,		1	Q. Have you written any papers	
2	was in both of those books.		2	looking at the toxicity of chromium-3?	
3	BY MR. HEGARTY:		3	A. I'm going to look in my	
4	Q. Did you write those		4	in my CV.	
5	chapters?		5	Q. Well, without looking at	
6	A. I reviewed those chapters		6	your CV, for purposes of time, can you	
7	for publication in those books.		7	recall any such article?	
8	Q. My question was did you		8	MS. O'DELL: If you need to	
9	write those chapters?		9	take a moment, Doctor, feel free	
10	A. I'm sorry. Did I write		10	to.	
11	those chapters on cobalt? No, I did not.		11	MR. HEGARTY: We'll go off	
12	Q. Have you ever written any		12	the record if she needs to take a	
13	published chapter or article discussing		13	moment.	
14	the toxicity of cobalt?		14	BY MR. HEGARTY:	
15	A. I have not		15	Q. Because I qualified my	
16	MS. O'DELL: Objection.		16	question by asking you, without looking	
17	THE WITNESS: written an		17	at your CV, are you able to cite an	
18	article in the area of cobalt, but		18	article that you've written?	
19	I am familiar with metals, very		19	A. I want to give actual data	
20	much so from the department and		20	to you. In my mind, I recall a paper	
21	the research that I do.		21	that I wrote with Dr. Max Costa on	
122	DV MD TIECADTV.		22	chromium. And and possibly with Toby	
22	BY MR. HEGARTY:				
23 24	Q. Have you written any published article discussing toxicity of		23 24	Rossman. But without looking, I can't be absolutely sure.	

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	Page	538		Page 540
1	Q. You refer over on pages		the statements that you were asked about	
2	or on Page 25 of your report	2		
3	A. Yes.	3		
4	Q to	4	-	
5	A. Talc-induced inflammation.	5	THE WITNESS: Not without	
6	Q. Well, let me finish my	6	checking my document, I can't	
7	question.	7	answer conclusively.	
8	A. Oh, I'm sorry.	8	BY MR. HEGARTY:	
9	Q. You refer over on Page 25 in	9	,	
10	the fourth paragraph to an abstract and	10	1 1	
11	other material by Dr. Harper and	1.	· · · · · · · · · · · · · · · · · · ·	
12	Dr. Saed, correct?	12	\mathcal{E}	
13	A. Yes. In the last in the	13	Č	
14	last paragraph, in the last sentence.	14		
15	Q. And none of those	15		
16	publications refer to testing using	16		
17	Johnson's Baby Powder, correct?	17	<u>C</u>	
18	MS. O'DELL: Objection to	18	, <u>, , , , , , , , , , , , , , , , , , </u>	
19	form.	19		
20	THE WITNESS: To my	20	•	
21 22	knowledge, no, but I would have to	21 22		
23	look at the paper to be absolutely sure. But they did use talc,	$\frac{27}{23}$	•	
24	yes talcum powder.	$\frac{2}{2}$, i	
24	yes taicum powder.	22	Q. Tou did not lefer to that	
	Page	539		Page 541
1	BY MR. HEGARTY:	539	statement in your report, correct?	Page 541
2	BY MR. HEGARTY: Q. Can you cite for me any	1 2	A. That is correct, yes.	Page 541
2 3	BY MR. HEGARTY: Q. Can you cite for me any animal or cell studies that you reviewed	1	A. That is correct, yes.Q. Also you did not cite on	Page 541
2 3 4	BY MR. HEGARTY: Q. Can you cite for me any animal or cell studies that you reviewed for purposes of preparing your report	1 2 3 4	A. That is correct, yes.Q. Also you did not cite onPage 5 in your report the statement that	Page 541
2 3 4 5	BY MR. HEGARTY: Q. Can you cite for me any animal or cell studies that you reviewed for purposes of preparing your report that tested Johnson's Baby Powder other	1 2 3 4 5	A. That is correct, yes. Q. Also you did not cite on Page 5 in your report the statement that "it is, therefore, plausible that	Page 541
2 3 4 5 6	BY MR. HEGARTY: Q. Can you cite for me any animal or cell studies that you reviewed for purposes of preparing your report that tested Johnson's Baby Powder other than Dr. Saed's recent manuscript?	1 2 3 4 5	A. That is correct, yes. Q. Also you did not cite on Page 5 in your report the statement that "it is, therefore, plausible that perineal talc and other particulate that	Page 541
2 3 4 5 6 7	BY MR. HEGARTY: Q. Can you cite for me any animal or cell studies that you reviewed for purposes of preparing your report that tested Johnson's Baby Powder other than Dr. Saed's recent manuscript? A. I know I have, I just can't	1 2 3 4 5	A. That is correct, yes. Q. Also you did not cite on Page 5 in your report the statement that "it is, therefore, plausible that perineal talc and other particulate that reaches the endometrial cavity, et	Page 541
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		ge 542			Page 544
1	screening assessment by Canada, Canada	.gc 3 12	1	"The specific mechanisms and	1 4 5 5 1 1
2	employs a precautionary principle. Are		2	cascade of molecular events by which talc	
3	you aware of that?		3	might cause ovarian cancer have not been	
4	A. Yes.		4	identified."	
5	Q. Do you know what a		5	MS. O'DELL: Wait. Do you	
6	precautionary principle is?		6	mind showing Dr. Zelikoff?	
7	A. I do know what a		7	MR. HEGARTY: Well, then I	
8	precaution		8	won't have I'm just reading	
9	Q. What is it?		9	this statement.	
10	A. A precautionary principle is		10	MS. O'DELL: Well, but if	
11	one where you in my in my opinion		11	you're reading from the draft	
12	and what to my knowledge, it's a		12	assessment	
13	principle in which you use every		13	MR. HEGARTY: You know what,	
14	precaution in terms of assessment, in		14	I this is the only copy I have.	
15	terms of use in animal models and human		15	If you want to hand me your copy.	
16	models. You follow precaution.		16	MR. TISI: I have my copy.	
17	Q. Okay. The draft screenings		17	It has my notes on it. If you	
18	assessment, Exhibit Number 9, contains		18	Do you want it?	
19	the following statement and I only		19	MS. O'DELL: You're welcome	
20	I only have your copy.		20	to my copy.	
21	A. Oh okay.		21	MR. HEGARTY: Thank you.	
22	Q. I'm going to read it to you		22	BY MR. HEGARTY:	
23	and tell me whether you agree with it.		23	Q. Page 18, second paragraph.	
24	A. Okay.		24	I was on Page 18, Doctor.	
	Pa	ge 543			Page 545
1	Q. "The etiology of most		1	A. You handed it to me like	
2	ovarian tumors in general has not been		2	this, sir.	
3	well established."		3	Q. Right. On page I'm	
4	MS. O'DELL: What page are		4	sorry, Page 21.	
5	you on, please?		5	A. This is Page 21.	
6	MR. HEGARTY: Page 18.		6	Q. Sorry. Page 21, second	
7	BY MR. HEGARTY:		7	paragraph. The statement at the end	
8	Q. Do you agree with that		8	reads, "However, the specific mechanisms	
9	statement?		9	and cascade of molecular events by which	
10	A. Please read it again.		10	talc might cause ovarian cancer have not	
11	Q. "The etiology of most		11	been identified."	
12	ovarian tumors in general has not been		12	Do you agree with that	
13	well established."		13	statement?	
14	A. The etiology is has not		14	MS. O'DELL: Objection to	
15	been well established. But it has been		15	form.	
16	studied. But there okay. I'm done.		16	THE WITNESS: That's a	
17	Q. The on page strike		17	statement here.	
18	that. On Page 21		18	BY MR. HEGARTY:	
19	A. Of my report?		19	Q. Do you agree with that	
20	Q. No, of the		20	statement?	
21	A. Health Canada.		21	A. Oh, I'm sorry. I'm sorry,	
22	Q health assessment states		22	I've lost Page 21, what	
	~	J			
23 24	the following statement and tell me whether you agree with it.		23 24	Q. Page 21, second paragraphA what paragraph?	

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	Page	546		Page 548
1	Under	1	today it's not you're not using it to	
2	Q. Last two lines.	2	inform your opinions, correct?	
3	A. Under	3	A. It is it is support and	
4	Q. Under in the biologic	4	validation of my opinions.	
5	plausibility section.	5	Q. You referenced IARC and its	
6	A. I see it. Thank you.	6	designation of asbestos. What has IARC	
7	Q. It read the statement	7	designated talc for genital uses as?	
8	reads: The specific mechanisms and	8	MS. O'DELL: Objection.	
9	cascade of molecular events by which talc	9	THE WITNESS: I in in	
10	might cause ovarian cancer have not been	10	terms of classification, may I	
11	identified.	11	look at the document?	
12	Do you agree with that	12	BY MR. HEGARTY:	
13	statement?	13	Q. Well, they've designated	
14	A. Yes, they have not been	14	talc used	
15	clearly and conclusively identified.	15	A. Fibrous fibrous	
16	Q. But that's not what that	16	Q for perineal use as 2B,	
17	sentence reads. My question was do you	17	correct?	
18	agree with the sentence that I just read	18	A. 2B, yes. Fibrous talc,	
19	to you.	19	correct.	
20	A. It is I think it's a	20	Q. You were asked about the	
21	sentence taken out of text.	21	deposition of Robert Glenn, correct?	
22	Do I agree with the sentence	22	A. The past manager and	
23	as it is written? No. I would have to	23	director of NIOSH.	
24	add the words, "have not been clearly	24	Q. Yes.	
-				
	Page	547		Page 549
1	identified."	1	A. Yes.	Page 549
2	identified." Q. So you don't agree with	1 2	Q. Did you read the entirety of	Page 549
2 3	identified." Q. So you don't agree with everything in the	1 2 3	Q. Did you read the entirety of his deposition?	Page 549
2 3 4	identified." Q. So you don't agree with everything in the A. Or established.	1 2 3 4	Q. Did you read the entirety of his deposition?A. No, I did not.	Page 549
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	Page 5	0			Page 552
1	Q. Did you cite that portion of		1	shows that talcum powder is not	1 450 002
2	his testimony in your expert report?		2	mutagenic? There is.	
3	MS. O'DELL: Objection to		3	Q. Did you cite that portion of	
4	form.		4	Mr. Glenn's testimony in your report?	
5	THE WITNESS: No.		5	A. No, I did not.	
6	BY MR. HEGARTY:			· · · · · · · · · · · · · · · · · · ·	
7		,	6	Q. If you look at the next page	
	Q. Did you read it?	Ι,	/ D	at the top. The question, 2 through 7, with the answer on 8.	
8	A. I said that I did not read		8		
9	this in its in its entirety.	1	9	A. Mm-hmm-hmm.	
10	Q. Do you agree with that	1		Q. Did you cite that question	
11	sentence?	1		and answer in your report?	
12	I'm sorry, do you agree with	1		MS. O'DELL: Object to the	
13	his answer to that question?	1		form.	
14	MS. O'DELL: Objection to	1		THE WITNESS: I did not cite	
15	form.	1		any of Dr. Glenn's information	
16	THE WITNESS: To the	1		because I I did not read it in	
17	question, "Has the data also	1		detail.	
18	showed that talcum powder is not	1		BY MR. HEGARTY:	
19	cytotoxic, meaning it doesn't	1		Q. You can put that aside.	
20	damage cells?"	2		Is it your testimony that	
21	So if the question is do I	2		you're more knowledgeable regarding talc	
22	agree with that sentence do I	2		and ovarian cancer than Dr. Neel?	
23	agree with his answer of yes,	2	3	A. No, what my testimony is to	
24	there have been data showing, in	2	4	is that I have extensive knowledge in	
	Page 5	1			Page 553
1	certain circumstances, in certain		1	toxicological aspects, the cytotoxicity	
2	cell lines, that talcum powder has	2	2	of it, and the inflammatory responses	
3	not been shown to be cytotoxic at		3	from an from an academic perspective	
4	certain concentrations.		4	and a biological mechanism perspective.	
5	BY MR. HEGARTY:		5	Q. What is Dr. Neel's knowledge	
6	Q. Looking down at the next		6	of the toxicological aspects and the	
7	question, 18 through 21, he's asked, "And		7	toxicity of tale?	
8	has the data also showed that talcum		8	A. I do not know.	
9	powder is not mutagenic, meaning it		9	Q. What's his is he a	
10	doesn't mutate genes?"	1	-	cancer strike that.	
11	"Answer: Yes."	1		He is a cancer biologist,	
12	Do you agree with his answer	1		correct?	
13	to that question?	1		MS. O'DELL: Objection to	
14	A. I do not agree. I think	1.		form.	
15	that the I do not agree with his	1		THE WITNESS: The only thing	
16	answer. I think that his that the	1		I know about Dr. Neel is that he	
17	question has to be the question in my	1		is the director of the Cancer	
18	opinion, it was ambiguous. And I'm not	1		Institute. I am not familiar with	
19	sure what he was basing that on in terms	1		his research.	
20	of his response.	2		BY MR. HEGARTY:	
21	If you if he was looking	$\frac{2}{2}$		Q. Have you ever evaluated his	
22	at mutagenicity in terms of Ames assays	2		qualifications?	
23		$\frac{2}{2}$		A. No. I was not on the search	
24	or yes, they have not shown mutagenicity. So is there data that also	$\frac{2}{2}$		committee nor do I have access to his CV.	
1 44	30 is there that also		+	committee not do I have access to his CV.	

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	Page 55-			Page 556
1	Q. You made statements	1	Q. Are you a board-certified	- ingress
2	indicating that you believe that you are	2	oncologist?	
3	more knowledgeable than Dr. Neel	3	A. I am not, never claimed to	
4	regarding the toxicities of talc. Is	4	be.	
5	that true?	5	Q. Are you a board-certified	
6	A. What I do know is that he is	6	gynecologic oncologist?	
7	not a toxicologist.	7	MS. O'DELL: Wait a minute.	
8	Q. Do you know what his area of	8	THE WITNESS: I am not, nor	
9	expertise is?	9	have I ever claimed to be.	
10	A. He's OB/GYN and oncology.	10	Because	
11	Q. Do you know what his level	11	BY MR. HEGARTY:	
12	of knowledge is in the area of	12	Q. You were asked you were	
13	toxicology?	13	asked about whether you could do	
14	A. I do not.	14	whether there could be studies looking at	
15	Q. Have you ever met him?	15	risk of cancer in women exposed to	
16	A. Yes, I have met him.	16	cobalt, chromium, and nickel. Do you	
17	Q. Have you ever talked to him	17	recall those questions?	
18	about his qualifications in the area of	18	A. I do.	
19	toxicology?	19	Q. Studies looking at exposures	
20	A. No, I have not. But I know	20	of metals in humans are done all the	
21	he is not a he is not considered a	21	time. They are called retrospective	
22		$\frac{21}{22}$	case-control studies, correct?	
23	toxicologist by his peers, by colleagues. He is known as a cancer oncologist. He	23	A. They are not done in a	
24	is not known or recognized as a	24	laboratory nor is there insertion of	
24	is not known or recognized as a	24	laboratory nor is there insertion of	
	Page 55:			Page 557
1	Page 55: toxicologist.	1	those metals into humans.	Page 557
1 2	toxicologist.			Page 557
	toxicologist. Q. Who have you ever asked	1	Q. That's not my question. You	Page 557
2	toxicologist. Q. Who have you ever asked who have you ever spoken with regarding	1 2	Q. That's not my question. You said you testified that there is no	Page 557
2 3	toxicologist. Q. Who have you ever asked who have you ever spoken with regarding to Dr. Neel's qualifications as it	1 2 3	Q. That's not my question. You	Page 557
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	toxicologist. Q. Who have you ever asked who have you ever spoken with regarding to Dr. Neel's qualifications as it relates to toxicology? A. I have not spoken to him about his qualifications. My answer comes from the fact that I am an active member in the Society of Toxicology, but nationwide and internationally. And also I'm an active member in the International Union of Toxicology and active member in the other other toxicology programs and societies. And I have I have not seen Dr. Neel at any of these, nor have I heard of him being spoken at or about in these in these meetings. Q. Do you go to OB/GYN conferences?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. That's not my question. You said you testified that there is no way that you can do a study looking at the effect of nickel in humans. That's not true, is it? MS. O'DELL: Objection to form. Misstates THE WITNESS: I'm sorry. MS. O'DELL: the question and the testimony. Excuse me, Doctor. THE WITNESS: I was I was talking about clinical studies and studies in people. BY MR. HEGARTY: Q. There are retrospective case-control studies looking at exposure of humans to nickel, correct? A. That is those are	Page 557
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		Page 558			Page 560
1	O Well can you gits for ma	1 age 336	1	is not unothing but to use it in	1 age 300
1 2	Q. Well, can you cite for me any epidemiologic studies showing an		1 2	is not unethical, but to use it in a clinical study would be	
3	increased risk of ovarian cancer in women		3	extremely unethical.	- 1
4	exposed to nickel?		4	BY MR. HEGARTY:	- 1
5	-		5		- 1
_	A. Nickel alone, I have not		_	Q. It would also be appropriate	- 1
6	reviewed that. But I do know the IARC		6	to do cell studies looking at nickel,	- 1
7	document talks about it as a Class 1		7	cobalt, and chromium in ovarian cancer	- 1
8	carcinogen.		8	cells, correct?	- 1
9	Q. Can you cite for me, any		9	MS. O'DELL: Objection to	- 1
10	retrospective case-control studies,		10	form.	- 1
11	showing an increased risk of ovarian		11	THE WITNESS: Alone I'm	- 1
12	cancer in women exposed to chromium?		12	sorry. Alone or in combination?	- 1
13	A. Chromium alone?		13	BY MR. HEGARTY:	- 1
14	Q. Yes.		14	Q. Or all of the above.	- 1
15	A. No, I cannot.		15	A. Your question was it would	- 1
16	Q. Same question as to cobalt?		16	be unethical to do cell culture studies?	- 1
17	A. No, I cannot.		17	Q. Would it be unethical in	- 1
18	Q. Can you cite for me any		18	your opinion?	- 1
19	case-control studies looking at whether		19	A. Not to do cell culture	- 1
20	there's an increased risk of ovarian		20	studies.	- 1
21	cancer in women exposed to nickel,		21	Q. Have such studies been done?	- 1
22	chromium, and cobalt in combination?		22	A. I'm not sure about the	- 1
23	A. I hope I understand your		23	combination. There have been studies, a	- 1
24	question right. But what I am what		24	number of studies that have been done in	- 1
	quositon right. But what I am what			number of studies that have been done in	
		Page 559			Page 561
1	I'm saying is yes, there is an increased	Page 559	1	cell culture. I can't cite them all,	Page 561
1 2	I'm saying is yes, there is an increased risk in exposure to talc because talc	Page 559	1 2	cell culture. I can't cite them all, because there are numerous that have	Page 561
	risk in exposure to talc because talc	Page 559		The state of the s	Page 561
2	risk in exposure to talc because talc contains, according to the J&J documents,	Page 559	2	because there are numerous that have looked at nickel or cobalt or chromium in	Page 561
2 3 4	risk in exposure to talc because talc contains, according to the J&J documents, and according to other studies that just	Page 559	2 3 4	because there are numerous that have looked at nickel or cobalt or chromium in cell culture studies, and many that have	Page 561
2 3 4 5	risk in exposure to talc because talc contains, according to the J&J documents, and according to other studies that just looked at talcum powder products,	Page 559	2 3 4 5	because there are numerous that have looked at nickel or cobalt or chromium in cell culture studies, and many that have been done in my own laboratory.	Page 561
2 3 4	risk in exposure to talc because talc contains, according to the J&J documents, and according to other studies that just looked at talcum powder products, contains nickel, cobalt, and chromium in	Page 559	2 3 4 5 6	because there are numerous that have looked at nickel or cobalt or chromium in cell culture studies, and many that have been done in my own laboratory. Q. Can you cite to me any such	Page 561
2 3 4 5 6 7	risk in exposure to talc because talc contains, according to the J&J documents, and according to other studies that just looked at talcum powder products, contains nickel, cobalt, and chromium in elevated levels.	Page 559	2 3 4 5 6 7	because there are numerous that have looked at nickel or cobalt or chromium in cell culture studies, and many that have been done in my own laboratory. Q. Can you cite to me any such studies that have done those tests in	Page 561
2 3 4 5 6 7 8	risk in exposure to talc because talc contains, according to the J&J documents, and according to other studies that just looked at talcum powder products, contains nickel, cobalt, and chromium in elevated levels. Q. My question is specific to	Page 559	2 3 4 5 6 7 8	because there are numerous that have looked at nickel or cobalt or chromium in cell culture studies, and many that have been done in my own laboratory. Q. Can you cite to me any such studies that have done those tests in ovarian cells?	Page 561
2 3 4 5 6 7 8 9	risk in exposure to talc because talc contains, according to the J&J documents, and according to other studies that just looked at talcum powder products, contains nickel, cobalt, and chromium in elevated levels. Q. My question is specific to looking only at exposure to cobalt,	Page 559	2 3 4 5 6 7 8 9	because there are numerous that have looked at nickel or cobalt or chromium in cell culture studies, and many that have been done in my own laboratory. Q. Can you cite to me any such studies that have done those tests in ovarian cells? A. I'm sorry. When you say	Page 561
2 3 4 5 6 7 8 9 10	risk in exposure to talc because talc contains, according to the J&J documents, and according to other studies that just looked at talcum powder products, contains nickel, cobalt, and chromium in elevated levels. Q. My question is specific to looking only at exposure to cobalt, nickel, and chromium. Can you cite for	Page 559	2 3 4 5 6 7 8 9 10	because there are numerous that have looked at nickel or cobalt or chromium in cell culture studies, and many that have been done in my own laboratory. Q. Can you cite to me any such studies that have done those tests in ovarian cells? A. I'm sorry. When you say "any such studies," do you mean cell	Page 561
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	- Pag	e 562		Page 564
1	A. I cannot I have not seen	1	of the first page on the right-hand	-
2	that literature, no.	2	column.	
3	Q. Those studies could be done,	3	A. Yes.	
4	correct?	4	Q. The authors state that	
5	A. Those studies could be done.	5	the "First, the association is a	
6	Q. They could be done in your	6	relatively weak" "a relatively weak	
7	laboratory, couldn't they?	7	one; i.e., summary relative risk of	
8	A. I have the facilities to	8	approximately 1.3."	
9	carry out those studies.	9	Do you agree with that	
10	Q. You have not done those	10	statement?	
11	studies?	11	MS. O'DELL: Objection to	
12	MS. O'DELL: Objection to	12	form.	
13	form.	13	THE WITNESS: Number one, I	
14	THE WITNESS: Correct.	14	am not an epidemiologist so I'm	
15	BY MR. HEGARTY:	15	not testifying to epidemiological	
16	Q. You cited to the Cramer 2007	16	odds ratio, whether that is weak	
17	study, which I'm marking as Exhibit	17	or not weak.	
18	Number 40.	18	BY MR. HEGARTY:	
19	(Whereupon, a discussion was	19	Q. The next sentence says,	
20	held off the stenographic record.)	20	"Second, no clear increase in risk or	
21	(Document marked for	21	duration of use has been found in most	
22	identification as Exhibit	22	studies."	
23	Zelikoff-50.)	23	Do you agree with that	
24	BY MR. HEGARTY:	24	sentence?	
	Pag	e 563		Page 565
1	Q. I'm marking as Exhibit	1	MS. O'DELL: Objection to	
2	Number 50 the Cramer 2007 study that you	2	3	
3	Number 30 the Cramer 2007 study that you		form.	
		$\begin{bmatrix} 2 \\ 3 \end{bmatrix}$		
4	referred to in response to counsel's		form. THE WITNESS: There are many studies that do show that duration	
4 5		3	THE WITNESS: There are many studies that do show that duration	
	referred to in response to counsel's questions.	3 4	THE WITNESS: There are many	
5	referred to in response to counsel's questions. A. Mm-hmm-hmm.	3 4 5	THE WITNESS: There are many studies that do show that duration plays a role.	
5 6	referred to in response to counsel's questions. A. Mm-hmm-hmm. MS. O'DELL: Objection.	3 4 5 6	THE WITNESS: There are many studies that do show that duration plays a role. BY MR. HEGARTY:	
5 6 7	referred to in response to counsel's questions. A. Mm-hmm-hmm. MS. O'DELL: Objection. That misstates the record. I	3 4 5 6 7	THE WITNESS: There are many studies that do show that duration plays a role. BY MR. HEGARTY: Q. That's not my question. My	
5 6 7 8	referred to in response to counsel's questions. A. Mm-hmm-hmm. MS. O'DELL: Objection. That misstates the record. I never referred to the Cramer	3 4 5 6 7 8	THE WITNESS: There are many studies that do show that duration plays a role. BY MR. HEGARTY: Q. That's not my question. My question is do you agree with that	
5 6 7 8 9 10 11	referred to in response to counsel's questions. A. Mm-hmm-hmm. MS. O'DELL: Objection. That misstates the record. I never referred to the Cramer study.	3 4 5 6 7 8 9	THE WITNESS: There are many studies that do show that duration plays a role. BY MR. HEGARTY: Q. That's not my question. My question is do you agree with that sentence?	
5 6 7 8 9 10 11 12	referred to in response to counsel's questions. A. Mm-hmm-hmm. MS. O'DELL: Objection. That misstates the record. I never referred to the Cramer study. MR. HEGARTY: She cited it	3 4 5 6 7 8 9 10 11 12	THE WITNESS: There are many studies that do show that duration plays a role. BY MR. HEGARTY: Q. That's not my question. My question is do you agree with that sentence? A. I see. MS. O'DELL: Objection to form. Asked and answered.	
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	Do	~~ 5 66			Daga 569
		ge 566	1		Page 568
	genital area to enter the pelvic cavity		1	findings that led to inflammation	
2 3	has not been conclusively proven."		2	including an increased number of	
	Do you agree with that sentence?			follicles, and that goes to	
4	~~		4	biological plausibility. BY MR. HEGARTY:	
5			5		
6	these sentences are cited or referenced		6	Q. Did you agree with that	
7	by the way.		7	finding? A. That there were increased	
8	It has not been conclusively		8	A. That there were increased number of follicles?	
9	proven. I agree with the sentence.		9 10		
11	May I		11	•	
12	Q. You cited as well to the		12	A. And the histopathology?	
	Keskin paper. You cited that several		13	That there was foreign body	
13	times, including in response to counsel's			reactions and that there were infections,	
14 15	questions.		14 15	I agree with those studies.	
16	A. Yes, I did. I recall that.			Q. Do you agree with the statement that the author made that this	
17	Q. The Keskin paper was an		16 17		
18	animal study that did not show tumor			effect seems to be in the form of foreign	
	formation from application of talc,		18	body reaction or infection rather than a	
19 20	MS O'DELL: Object to the		19 20	neoplastic change?	
21	MS. O'DELL: Object to the		20	A. I'm sorry, could you tell me	
22	form.		21	where that might be?	
23	THE WITNESS: If you allow		23	Q. Again, in the conclusion	
24	me to specifically look for that,		23 24	section that we have just been looking at.	
24	please.		24	at.	
	Pa	ge 567			Page 569
1	BY MR. HEGARTY:		1	A. Mm-hmm-hmm.	
2	Q. I'll mark it as Exhibit 51.		2	Well, a foreign body	
3	(Document marked for				
4			3	reaction can is an immunological	
	identification as Exhibit		3 4	reaction can is an immunological response. Whether it's considered a	
5					
6	identification as Exhibit Zelikoff-51.) BY MR. HEGARTY:		4 5 6	response. Whether it's considered a	
	identification as Exhibit Zelikoff-51.) BY MR. HEGARTY: Q. The Keskin paper over in the		4 5	response. Whether it's considered a neoplastic change, likely not. A foreign	
6	identification as Exhibit Zelikoff-51.) BY MR. HEGARTY: Q. The Keskin paper over in the conclusion section on Page 927 says that		4 5 6 7 8	response. Whether it's considered a neoplastic change, likely not. A foreign body reaction does not necessarily is not necessarily known as a neoplastic response, correct.	
6 7 8 9	identification as Exhibit Zelikoff-51.) BY MR. HEGARTY: Q. The Keskin paper over in the conclusion section on Page 927 says that with regard to the reported effects of		4 5 6 7	response. Whether it's considered a neoplastic change, likely not. A foreign body reaction does not necessarily is not necessarily known as a neoplastic response, correct. Q. And you you didn't cite	
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	. Р	age 570			Page 572
1	you. Oh, thank you.		1	counsel has it. I'll hand it to you. If	
2	BY MR. HEGARTY:		2	you'll	
3	Q. Second page, Line 34, on the		3	A. Oh. You mean the draft	
4	second page.		4	screening assessment?	
5	A. In the abstract?		5	Q. Yes. Sorry, I was going to	
6	Q. Yes.		6	it by the wrong name. It is Exhibit	
7	MS. O'DELL: Give me just a		7	A. 9.	
8	moment, I'm sorry. I'll pull out		8	Q. Thank you.	
9	my copy.		9	If you'll turn to Page 16.	
10	THE WITNESS: I'm sorry,		10	A. I see that, Keskin et al.,	
11	should I wait?		11	2009, it's the first statement under	
12	MR. HEGARTY: I think Leigh		12	human studies.	
13	wants you to wait.		13	Q. Yes. Right above that when	
14	MS. O'DELL: Okay. Go		14	it refers to the Keskin and colleagues	
15	ahead. I'm sorry.		15	2009. What was the conclusion that the	
16	BY MR. HEGARTY:		16	sentence beginning "while no cancer"? Do	
17	Q. Do you agree with the		17	you see that above human studies on	
18	statement made in Line 34?		18	Page 16?	
19	A. Perineal use of talc powder		19	A. The conclusion, "while no	
20	is a possible cause of human ovarian		20	cancer"?	
21	cancer?		21	Q. Yes.	
22	Q. Yes.		22	A. "While no cancer/precancer	
23	A. I believe that it's more		23	effects were observed, Keskin and	
24	than a possible cause. I believe that		24	colleagues noted the study's duration may	
	Р	age 571			Page 573
1	there's biological plausibility which		1	have been too short to note these types	
2	shows that it it could be, it is		2	of effects."	
3	linked to human ovarian cancer.		3	Q. And in regard to and	
4	Q. So you don't you disagree		4	that that statement's consistent with	
5	with that statement?		5	the statements that you've included in	
6	A. One could say that, taking		6	your report, fair?	
7	it literally, that it is certainly a		7	MR. HEGARTY: Objection to	
8	possible cause. I just believe that it		8	form.	
9	is greater than a possible cause.		9	THE WITNESS: Yeah.	
10	MR. HEGARTY: Okay. Thank		10	BY MS. O'DELL:	
11	you. I think that's it for my		11	Q. And then secondly you were	
12	time.		12	asked a question, several questions about	
13	MS. O'DELL: Okay.		13	the actual Keskin paper itself. And I	
14			14	think it's still in front of you. Do you	
15	EXAMINATION		15	see that? It's Exhibit 51. Yeah,	
16			16	Exhibit 51.	
17	BY MS. O'DELL:		17	A. This is it, thank you.	
	DI MB. ODLLL.		18	Q. Okay. And I'll turn you to	
18	Q. Doctor, I just have two	l			
18 19	Q. Doctor, I just have two questions for you.		19	the conclusion please, Dr. Zelikoff.	
18 19 20	Q. Doctor, I just have two questions for you. I think you had the causal		19 20	the conclusion please, Dr. Zelikoff. A. That is on Page 930?	
18 19 20 21	Q. Doctor, I just have two questions for you. I think you had the causal assessment in front of you.		19 20 21	the conclusion please, Dr. Zelikoff. A. That is on Page 930? Q. It's 927 actually. One of	
18 19 20 21 22	Q. Doctor, I just have two questions for you. I think you had the causal assessment in front of you. A. Do you mean the Taher?		19 20 21 22	the conclusion please, Dr. Zelikoff. A. That is on Page 930? Q. It's 927 actually. One of the conclusions, at least the ones I I	
18 19 20 21	Q. Doctor, I just have two questions for you. I think you had the causal assessment in front of you.		19 20 21	the conclusion please, Dr. Zelikoff. A. That is on Page 930? Q. It's 927 actually. One of	

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		57.4			D 57.6
		Page 574			Page 576
1	A. I see.		1	dissolved in DMSO.	
2	Q. And counsel directed your		2	Q. Is is the data included	
3	attention to the sentence that said,		3	in this manuscript, was that part of	
4	"However this effect seems to be in the		4	the the data you relied on in abstract	
5	form of foreign body reaction or		5	in reaching your opinions in this case?	- 1
6	infection rather than neoplastic change."		6	A. In abstract form, yes. That	- 1
7	Do you see that? Recall		7	was all that was that was available	
8	those questions		8	since this only came out a few weeks ago.	
9	A. In the conclusion section?		9	MS. O'DELL: Okay. I have	- 1
10	Q. Yes.		10	nothing further.	- 1
11	A. On Page		11	THE WITNESS: Accepted for	- 1
12	Q. 927.		12	E-press a few weeks ago.	- 1
13	A. "However this effect seems		13	MS. O'DELL: Okay. I have	- 1
14	to be in the form of a foreign body		14	nothing further.	- 1
15	reaction or infection rather than a		15	nothing further.	- 1
					- 1
16	neoplastic change."		16	EXAMINATION	- 1
17	Yes, I see that.		17		- 1
18	Q. And if you'll look to the		18	BY MR. HEGARTY:	- 1
19	next sentence, what also did the authors		19	Q. Dr. Zelikoff, in looking at	- 1
20	conclude?		20	the Keskin paper, in in particular at	- 1
21	A. "Results of previous studies		21	the portion of the conclusions section	- 1
22	are in favor of a neoplastic effect,		22	that counsel asked you to read	- 1
23	particularly in the ovaries."		23	A. Yes.	- 1
24	And they conclude that more		24	Q the results of previous	
	1	Page 575			Page 577
1	experimental and clinical studies are	Page 575	1	studies, that sentence?	Page 577
1 2		Page 575	1 2		Page 577
2	experimental and clinical studies are warranted.	Page 575		A. Yes, I see it on Page 927.	Page 577
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	Page 578			Page 580
1 referring to? 2 A. I don't know because it's 3 not referenced. 4 MR. HEGARTY: I don't have 5 any additional questions. 6 MS. O'DELL: Nothing 7 further, Doctor. 8 THE VIDEOGRAPHER: Stand by 9 please. This marks the end of 10 today's deposition. The time is 11 9:03 p.m. Off the record. 12 (Excused.) 13 (Deposition concluded at 14 approximately 9:03 p.m.) 15 16 17 18 19 20 21 22 23 24		7 8 9 10 11 12 13	Please read your deposition over carefully and make any necessary corrections. You should state the reason in the appropriate space on the errata sheet for any corrections that are made. After doing so, please sign the errata sheet and date it. You are signing same subject to the changes you have noted on the errata sheet, which will be attached to your deposition. It is imperative that you return the original errata sheet to the deposing attorney within thirty (30) days of receipt of the deposition transcript by you. If you fail to do so, the deposition transcript may be deemed to be accurate and may be used in court.	
CERTIFICATE CERTIFICATE IHEREBY CERTIFY that the witness was duly sworn by me and that the deposition is a true record of the testimony given by the witness. It was requested before completion of the deposition that the witness, JUDITH ZELIKOFF Ph.D., have the opportunity to read and sign the deposition transcript. MICHELLE L. GRAY, A Registered Professional Reporter, Certified Shorthand Reporter, Certified Realtime Reporter and Notary Public Dated: January 23, 2019 (The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.)		1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	ERRATA PAGE LINE CHANGE REASON:	

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10 corrections or changes in form or substance, if any, noted in the attached			Page 582
1	2	ACKNOWLEDGMENT OF DEPONENT	
16 JUDITH ZELIKOFF Ph.D. DATE 17 18 19 Subscribed and sworn to before me this 20day of, 20 21 My commission expires: 22 23 Notary Public Page 583 1	4 5 6 7 8 9 10 11 12 13 14	foregoing pages, 1 - 583, and that the same is a correct transcription of the answers given by me to the questions therein propounded, except for the corrections or changes in form or substance, if any, noted in the attached	
Page 583 1		Subscribed and sworn to before me this	
1 LAWYER'S NOTES 2 PAGE LINE 3	23 24		
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